



REGULAR COUNCIL MEETING

JANUARY 3, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; Karen M. Phillips, CMC, Director of Administration; Bill Geiger, Community Development Director; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; Terry chapman, Police Department.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA*

City Council Minutes

Approval of minutes:

December 6, 1999 - Regular Council Minutes

Cheyenne Pass Landfill - Legal Fees

Approval of October and November, 1999, fees totaling \$1,422.26 from Fowler and White and authorizing continuing representation.

Jasmine Drive Contract Authorization

Authorization for City Manager to execute contract for utility relocation work for \$25,192.00 (\$40,000 budgeted) and waiving payment and performance bond requirement.

IRS Penalty - Payment of Payroll Taxes

Consideration to pay 941 tax return penalty associated with conversion of payroll from ADP to new system.

Dr. Martin Luther King, Jr. Celebration - January 16 - 17, 2000

Request co-sponsorship of annual event, waiver of parade permit, insurance requirements and traffic/crowd control costs (streets within City limits only).

Motion:

Motion was made by Lewis and seconded by Johnston to approve the January 3, 2000 Consent Agenda.

Council Member Wever called attention to page 7 of the minutes and requested that they reflect the vendor that the three police cars would be purchased from.

Regarding the Cheyanne Pass Landfill, Wever questioned if anyone had checked the deeds regarding transfer of ownership of that property to see if the landfill is mentioned. City Manager Anderson responded that the County Attorney had made reference that he had looked at the deeds. Council Member Wever felt that the owner of the property would be responsible rather than the City or the County. Mr. Anderson responded that FDEP has indicated that they wish to look towards the County and City for responsibility. City Attorney Battista stated that the owners, both then and now, would all share in the liability.

Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

PROCLAMATION - MILLENNIUM CELEBRATION - FEBRUARY 19 - 20, 2000

Proclaiming support of efforts of Millennium Committee as it plans for a celebration to be held in conjunction with the annual Heritage Days Festivities on February 19 - 20, 2000.

Pat Novy, Chairman, Board of County Commissioner, accepted the proclamation. She reported on details of the celebration and invited each Council Member to become a part of the Millennium Event Committee and attend the meetings.

PROCLAMATION - NATIONAL BLOOD DONOR MONTH

Declaring the month of January, 2000 as National Blood Donor Month.

Edward Downey, Regional Director of the Hernando County Blood Bank, was present to accept the proclamation.

REGULAR AGENDA

Resolution No. 2000-01 - Economic Development Tax Exemption

Resolution authorizing placement of question on March 13, 2000 Presidential Preference Primary Election and designating Ballot language.

City Clerk Phillips read Resolution No. 2000-01 by headnote only, as follows:

A RESOLUTION OF THE CITY OF BROOKSVILLE PLACING A REFERENDUM QUESTION ON THE MARCH 14, 2000 PRESIDENTIAL PREFERENCE PRIMARY BALLOT PURSUANT TO SECTION 196.1995 FLORIDA STATUTES AND SECTION 101.161 FLORIDA STATUTES AND PROVIDING FOR TRANSMITTAL TO THE SUPERVISOR OF ELECTIONS.

Motion:

Motion was made by Brayton and seconded by Lewis to approve Resolution No. 2000-01.

Council Member Wever felt that the ballot language referencing the 10 years clause should be reworded for clarity. He suggested that the second line read "...grant a City property tax exemption of up to 100% for a time up to 10 years". In response to Council Member Wever's question, City Attorney Battista agreed that was acceptable language. It was agreed that in most cases, there would be a maximum amount of 100% granted for exemption. Council Member Johnston expressed his concern that the portion that people miss is buried in language away from where it is relevant. He stated that the words "...for that increase value added to the tax roll" should be up next to "exemption".

Motion and second were withdrawn for further discussion.

It was decided to change the wording to "Shall the City Council of Brooksville be authorized to grant a City property tax exemption of up to 100% of that increased value added to the tax roll for up to 10 years as an incentive for certain new companies...."

There was no input from the public.

Motion:

Motion was made by Lewis and seconded by Brayton to approve Resolution No. 2000-01 as amended. Upon roll call, motion carried 5-0, as follows:

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

Charter Review Committee

Appointment of Committee Members.

The following names were submitted by Council Members:

Mary A. Staib - Anna Liisa Covell and Rev. Nathaniel Sims and Sandy Kaliscak

Richard Lewis - Phyllis Conway and Fran Flannery

Ernie Wever - Kent Eppley and Robert Buckner

Pat Brayton - Gail Samples

Motion:

Motion was made by Brayton and seconded by Lewis to appoint those members submitted. Motion carried 5-0.

City Clerk Phillips advised that an orientation meeting would be scheduled as soon as possible. She added that should Council have any items for consideration, they could present them to staff for transmittal to the Committee or were welcome to come to the meetings to present their concerns.

Revise CDBG Procurement Forms

Consideration of revision to ranking and evaluation forms contained in CDBG Procurement Policies and Procedures.

City Clerk Phillips informed Council that their consultant had given recommendations on DCA trends, which included some changes to the procurement policies.

Motion:

Motion was made by Brayton and Johnston to approve the revised forms. Motion carried 5-0.

Council Member Wever stated that he still had a problem with the ranking forms and procedures.

City Council Member Appointments

The following are the current appointments on various boards and Committees, which are now subject for reappointment or replacement:

Outside Boards/Committees Current Council Representative

Downtown Development Corp Mary A. Staib

Juvenile Justice Council Mary A. Staib

S.A.L.T. Council Mary A. Staib

Metropolitan Planning Organization Joseph Johnston, III

Economic Development Commission Joseph Johnston, III

Tourist Development Council Joseph Johnston, III

Withlacoochee Regional Planning Council Joseph Johnston, III

Hernando County Fair Association Richard Lewis

Suncoast League of Municipalities E.E. Wever, Jr.

Withlacoochee Regional

Water Supply E.E. Wever, Jr.

Heart of Florida E.E. Wever, Jr.

City Boards/Committees Current Council Representative

Beautification Board Mary A. Staib

Brooksville Cemetery Advisory Board Mary A. Staib

Parks and Recreation Advisory Board Richard Lewis

CDBG Citizens Task Force E.E. Wever, Jr.

Motion:

Motion was made by Johnston and seconded by Brayton to reappoint current members.

Mayor Staib pointed out a correction to the meeting address and time of the Juvenile Justice Council.

Motion carried 5-0.

Council Member Johnston stated that the Economic Development Commission should be added to the list, which reappointment was subsequently concurred with by Council.

WWTP, DOT, DPW Projects

Status Report

Phase I - Cobb Road WWTP

Cobb Road plant is substantially completed and will be ready to receive sewage on January 10, 2000, however, the FDOT road contractor may not be finished with the relocation of the force main that would bring sewage from the S.R. 50 lift station.

Phase II - Wastewater system/interconnection

S.R. 50/U.S. 41 widening

Street resurfacing project

Director of Public Works Pierce advised that the plant is still on schedule to receive sewage on January 10, 2000.

Mr. Pierce informed that the JPA contractor is accelerating the force main that will carry the sewage to the State Road 50 lift station after the new plant is open. He is scheduled to be finished with that work on January 7th, but currently has not been pressure tested. Centerline Construction is being instructed to start making tie-ins on the northern route, which will hopefully be connected by January 10th. If Centerline Construction does not get the work done by January 12th, they may be subject to liquidated damages, which will be brought back to Council.

In response to Council Member Wever's question, Pierce advised that the plant has been tested at different levels several times.

The paving of School Street has been held up to due additional testing of the base material. Mayor Staib and Council Member Johnston felt that the residents should be made aware if there was going to be a significant delay on resurfacing School Street.

Pierce advised that the JPA installation of water and sewer mains by the DOT contractor is progressing rapidly. He reported that there are unresolved issues of buildability in the intersection of S.R. 50/U.S. 41. FDOT is negotiating with the contractor on a reimbursable JPA, which should be brought back to Council shortly.

Regarding the Ft. Dade/Ponce de Leon no left turn, FDOT has indicated that they will complete their work by the second week in January. In response to Council Member Johnston's question, Pierce advised that the sign posted at the intersection regarding the date of the no left turn will be removed.

Regarding street resurfacing, Pierce advised that he has met with Grubbs Construction Company, who has indicated that their crew will be scheduled to complete that by the end of January. Council Member Brayton stated that he had spoken to the City Manager about doing less streets, but doing a better job on those streets that are resurfaced. Director of Public Works Pierce advised that a one inch overlay is a standard pavement treatment but did acknowledge that streets in worse condition may need 1½ inch overlay.

Council Member Wever questioned the status of the WRWSA agreement with PHCC for the new wellsites. Director of Public Works Pierce advised that staff is working with Len Tria at Coastal Engineering on the language of the agreement.

CITIZEN'S INPUT

There was no citizen's input.

ITEMS BY COUNCIL MEMBERS

JOSEPH E. JOHNSTON, III, COUNCIL MEMBER

Y2K update

Council Member Johnston pointed out that it would appear that there were no Y2K concerns.

PAT BRAYTON, VICE MAYOR

Sewer Rehabilitation Program Water Facility Grant Application

Vice Mayor Brayton expressed concern that the application lists that the grant is for \$8.8 million with a City match of 25%, which is over \$2.6 million. He stated that the City Manager and City Clerk advised that this is a one year grant and all the City is applying for is for \$296,200, with a matching amount of \$75,000. City Clerk Phillips confirmed that that was true and further advised that is a five year program for proposal purposes only.

Council Member Wever felt that the proposal should have been presented to Council for approval before it was sent it in. City Clerk Phillips advised that if the grant is awarded, Council would have the ability to decline or accept the grant.

Council Member Wever pointed out that page 5, section F commits to pledging revenues from the sewer system which will probably require additional increases which he advised that he will not be in favor of. He stated that the population figure should be checked.

Restructuring of utility rates

Council Member Wever questioned when the City would be restructuring the utility rates. City Manager Anderson replied that staff has raised that concern with USDA. He stated that staff is in the midst of discussing additional funding and are now waiting direction from them of if it would be appropriate to change the sewer rates while continuing discussions on water.

Council Member Wever requested that preliminary work be done to get a draft schedule made once USDA gives approval.

Vice Mayor Brayton pointed out that it is his understanding that there may be one more rate increase required by USDA and wondered if it could all be done at the same time. City Manager Anderson stated that he would check on that and bring back a report to Council.

Council Member Wever stated that Council will need to decide on whether to spend the savings on interest fees on the financing to offset possible rate increases.

Special Assessment District

Council Member Wever stated that a better map should be included in the Sewer Rehabilitation Program Water Facility Grant Application.

He stated that in lieu of this project, he would like Council to consider the possibility of creating a special assessment district to cover the costs of replacing the antique water and sewer lines.

Annexation of Brooksville Nursing Manor

Council Member Wever referred to the recent annexation issue before Council and stated that when there is subject on the agenda, he will ask the questions in the meeting and not beforehand, so that Council can hear the question and the answers. He stated that he was told after that meeting that the millage rate that he questioned was not 2.75 but almost 3. mills and he advised that he had not heard that before. He stated that he was also told after the meeting that the franchise fee that he questioned in the meeting has been assessed to the nursing home the whole time. He stated that if that is the case, the City owes Florida Power a big refund and Florida Power owes the nursing home a big refund of all those fees. He stated that someone needs to check on that and that the City Attorney may need to check that from a legal standpoint.

Transfer of Lockhart Ave./North Ave.

In response to Council Member Wever's question, City Attorney Battista advised that he sent a proposed interlocal agreement to the County legal staff and had not heard back on that.

Withlacoochee Regional Water Supply Authority

Wever advised that the WRWSA will meet on January 19th and if the City has still not heard anything on the agreement at that time, he would check on it at the meeting.

KAREN M. PHILLIPS, CMC, DIRECTOR OF ADMINISTRATION

Art Gallery Reception

City Clerk Phillips informed Council that the next Art Reception will be January 20th from 5:00 p.m. to 7:00 p.m.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:00 p.m.

City Clerk

ATTEST:

Mayor

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REGULAR COUNCIL MEETING

JANUARY 24, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Lee Huffstutler; Director of Finance; Karen M. Phillips, CMC, Director of Administration; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; Ed Tincher; Police Chief and a representative from Hernando Today.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA*

City Council Minutes

Approval of minutes:

December 20, 1999 - Regular Council Minutes

December 27, 1999 - Special Council Minutes

January 3, 2000 - Regular Council Minutes

Restrict truck traffic - one way pairs

Request MPO to ask FDOT to restrict truck traffic from Downtown Brooksville, particularly through one-way pairs.

Disposal of Scrap Water Meters

Authorization for staff to trade in broken/scrap water meters to Sunstate Meter Supply towards purchase of new water meters utilizing Citrus County Bid.

Street Lighting

Request that Florida Power audit street light installation/costs, and adjust bills accordingly effective with completion of

project.

Motion:

Motion was made by Lewis and second by Brayton to approve the January 24, 2000 Consent Agenda.

Council Member Wever brought up for discussion Item #2, restricting truck traffic on the one way pairs. He requested that staff research whether the City has an ordinance prohibiting truck traffic on certain streets, which Police Chief Tincher indicated he would.

In response to Council Member Wever's request, motion and second were modified to move Item #4, Street Lighting, to the regular agenda.

Motion carried 5-0 to approve balance of Consent agenda.

REGULAR AGENDA

Brooksville Tae Kwon Do

Proclamation supporting Brooksville Tae Kwon Do and request funding support.

Mayor Staib read the proclamation, which was presented to Alberto Friedman and LeeAnne Homburger, representatives of Brooksville Tae Kwon Do.

Mayor Staib stated that if Council is in agreement, she would like them to contribute \$500.00 to Brooksville Tae Kwon Do for their upcoming trip to Sydney, Australia. Vice Mayor Brayton stated that he would not be in favor of Council agreeing to that contribution. Council Member Lewis stated that he would rather see this as an individual donation by Council Members because he felt it would set a precedent for such requests. He added that he would be glad to contribute towards their event. Mayor Staib stated that she would also donate money for the event.

Reduction or Fee Waiver "Red Mule Runners"

Consideration of request for reduction or waiver of street closure/traffic control cost, estimated at \$1,200 for June 29, 2000 marathon race.

Vice Mayor Brayton expressed his opinion that waiving the fees would set a precedent for future requests.

Chuck Boldt, President of Red Mule Runners, addressed Council regarding the request. In response to Council

Member Lewis' question, Boldt stated that there were 495 entries in the 1999 event and the entry fee is between \$15.00 and \$18.00 per individual.

Police Chief Tincher stated that this event is one of the most staff intensive events that happens throughout the year, requiring every officer scheduled to work that day, as well as bringing in additional staff or utilizing fire personnel. He added that he would not be in favor of waiving the fees.

In response to Vice Mayor Brayton's question, it was confirmed that the fees had been paid in prior years. He stated that there was a typographical error in the memo and that the fee that would be waived is approximately \$1,500.00.

Motion:

Motion was made by Brayton and seconded by Lewis to deny the request for a waiver. Motion carried 5-0.

Street Lighting (MOVED FROM CONSENT AGENDA)

Request that Florida Power audit street light installation/costs, and adjust bills accordingly effective with completion of project.

Council Member Wever stated that it would be his preference to approve the current inventory on the lights and start from this point and forget about any adjustments. City Clerk Phillips stated that that would be alternate #2.

Motion:

Motion was made by Brayton and seconded by Lewis to approve alternate #2. Motion carried 5-0.

FDOT Highway Landscaping Grant

Reimbursement funds are available to design and install right-of-way landscaping in conjunction with the U.S. 41/S.R. 50 (by-pass) construction projects.

Motion:

Motion was made by Brayton and seconded by Johnston to approve staff recommendations to continue to coordinate with the agencies involved and present required agreement documents to City Council for a formal determination at a later date.

Council Member Johnston suggested that the FDOT letter be revised to include the individual's name, rather than

"Landscape Manager", which Community Development Director Geiger thought that it had been done.

Council Member Wever pointed out that no irrigation could be done on the projects because this requires any irrigation plans to be submitted to FDOT for approval prior to the roadway design. He further stated that it is a requirement that the City maintain it in perpetuity. Geiger stated that requirement only pertains to full landscaping, not a "tree only" project, which requires a year's maintenance with FDOT taking over at that point. In response to Council Member Wever's question regarding the possibility of using the tree bank, City Manager Anderson stated that the City could, however, in this case it is anticipated that the City will not have a cash match.

Geiger stated that it is expected that funding will cover the complete cost of the design and the construction of the landscaping.

Motion carried 5-0.

Pay Plan Adjustments

Consideration of proposed corrections to pay rate schedule.

Motion:

Motion was made by Brayton and seconded by Wever to approve the corrections to the pay rate schedule to correct a number of the hourly rate Steps for salaried and 40 hour employees that were either one cent higher or lower than intended due to rounding problems, including the recommendation that the pay rate of employees in an affected grade remain the same until they progress to a higher Step (promotion, merit/longevity, etc.), at which time the revised/corrected rate (if any) would apply.

Motion carried 5-0.

Agreement - Wellfield

Agreement between City of Brooksville and Withlacoochee Regional Water Supply Authority on a reimbursement basis of two-thirds funding of engineering and related tasks for a cost not to exceed \$67,000.00.

Council Member Wever pointed out that item 5 requires that the City either own the property or have a permanent easement on it.

City Clerk Phillips advised that the revised recommendation by the City Manager would be to authorize the Mayor to execute the agreement. She added that the completion date of September 30, 2000 should be included in the agreement.

City Manager Anderson stated that Len Tria, Coastal Engineering, has advised that PHCC will approve the revised agreement well ahead of the construction schedule.

Motion:

Motion was made by Lewis and seconded by Johnston to approve the agreement with the completion date inserted. Motion carried 5-0.

City Manager Anderson stated that staff would supply each Council Member with a plan of the proposed well field site.

Award of Bid - Jerome Brown Community Center Grant Improvements

Award bid to Moore Construction for \$79,000 plus \$27,000 for walking/jogging bike path for a total of \$106,000. (Total funds available: \$154,725 - \$99,725 from grant and \$50,000 budgeted by City)

Motion:

Motion was made by Brayton and seconded by Lewis to approve the contract with Moore Construction in the amount of \$106,000.

Motion carried 5-0.

City Clerk Phillips advised that the Notice to Commence had been received from FRDAP that day. Director of Public Works Pierce stated that he would issue the Notice to Proceed.

CDBG - Planning and Administrative Services - AD99-14

Prior to award of proposal for consultants for the FY2000 CDBG Grant Cycle, (1) irregularities in the proposals received must be addressed, and, (2) procedure for ranking process needs to be determined.

Vice Mayor Brayton asked for clarification that the forms that were not completed correctly were minor technicalities, which City Clerk Phillips confirmed. City Clerk Phillips recommended that the companies be allowed to submit their corrected forms within a certain time period. Council Member Wever voiced his opinion that all proposals that did not submit completed forms should be thrown out.

Motion:

Motion was made by Brayton and seconded by Johnston to require submission of the completed forms within five working days.

Motion carried 4-1 with Wever voting in opposition.

Council Member Lewis suggested adding words "Failure to adhere to the requirements will mean that the bid will be disqualified". City Clerk Phillips stated that in the future, it will be made clearer that the required forms in the bid packet given out must be completed and returned in their entirety.

Motion:

Motion was made by Brayton and seconded by Lewis that Council hear presentations from all proposers on Monday, January 31, 2000 and do ranking that same night.

Motion carried 5-0.

It was decided to start the special meeting at 6:00 p.m. There would be 15 minute presentations, a 10 minute question/answer period with a 5 minute change over.

The City Clerk passed out the ranking forms in draft form that may be used at the January 31st meeting.

Community Development Department

Community Revitalization Workshop Meeting - Community Development Director reported that the Community Revitalization Workshop meeting would be held February 14th at 6:00 p.m. Regarding the group's legislative funding request, Lara Bradburn stated that there would be time after the 14th for the City to do a letter of support.

Discussion ensued regarding the project of entrance signs, which Lara Bradburn stated are a part of the approved redevelopment plan. It was pointed out that the City and County's sign ordinance regulations would need to be complied with.

Cloverleaf Addressing - Regarding Cloverleaf addressing, Geiger stated that the City received correspondence from a Cloverleaf resident requesting that they convert to a numbering system for 911 purposes. Geiger stated that was

actually approved by Council in October, 1997 but not been implemented due to changes in Cloverleaf management. He would coordinate with 911 operators and the post office on implementation.

Economic Development - Ad valorem exemption - Council discussed the Economic Develop Ad Valorem Tax incentive issue. Council Member Wever suggested that staff contact the Department of Commerce and get a current report of the City and County Ad Valorem Tax exemption Log. Community Development Director Geiger stated that he has been in contact with the proper agency, who should be forwarding that information shortly. Council Member Wever stated that he did not see anything referring to the Charter Amendment having a sunset of 10 years on it, which should be added. He offered that the proposal to publicize is a good one. He suggested that staff also research TV advertisement. City Clerk Phillips advised that she has spoken to the County and the School Board, who have both agreed to broadcast it.

FDEP Land and Water Conservation Fund Program for the acquisition or development of outdoor recreation areas and facilities - Community Development Director Geiger advised Council on a plan to develop outdoor recreation facilities and areas utilizing a FDEP Land and Water Conservation Fund Program grant. He felt that it was similar to a FRDAP grant and may be worthwhile pursuing. Staff would look at the scope of what is proposed to see what it would cost the City. Council inquired about the size of land that would be involved, to which Geiger responded there are two parcels being considered, both located on the south side of Brockway Drive. In response to Vice Mayor Brayton's question, Geiger confirmed that there would be an opportunity for public input when the grant would come back to Council. Lara Bradburn offered her support of the grant, however, she reminded Council that the Good Neighbor Trail will require some outside funds and suggested that the City may want to utilize this required matching grant funding in some way. City Manager Anderson stated that the issue will go to the Parks and Recreation Advisory Board. Geiger stated that the problem in using the property around the Good Neighbor Trail is that the property has not been purchased at this time.

Private interest expressed in the lease/purchase of a portion of the City's 40 acre site off Cobb Road - Community Development Director Geiger stated that interest has been expressed in purchasing or leasing a portion of the 40 acres of the Cobb Road WWTP site. He stated that he has been coordinating with the EDC regarding an industrial firm which manufactures concrete pipes. He stated that he would come back to Council with anything definitive. Council Member Wever stated that he would not be in favor of selling the property in case the land is needed for future plant expansion. Community Development Director Geiger stated that it was his understanding from the Public Works Director that any expansion would be within plant itself. Vice Mayor Brayton offered his opinion that he would consider selling the property as long as they annex into the City. Staff would continue to speak to them regarding the proposal. Council Member Lewis stated that if it is leased, the lessee should be targeted to pay the taxes. He added that he would not have a problem selling it if the City is reassured that it will not inhibit the City's plant growth in the next 50 years and they annex into the City. City Manager Anderson stated that based on the information they have, the applicant is interested in purchasing the site. He stated that frequently as an incentive, property is presented as a lease purchase where the initial lease payments are low due to initial relocation costs. Vice Mayor Brayton stated that negotiations can continue, but he had a problem with going through the EDC for information.

CITIZEN'S INPUT

There was no citizens input

ITEMS BY COUNCIL MEMBERS

JOSEPH E. JOHNSTON, III, COUNCIL MEMBER

Appreciation to Council

Council Member Johnston thanked Council for their support during the loss of his stepson.

RICHARD E. LEWIS, COUNCIL MEMBER

Hernando County Fair

Council Member and Fair Association Representative Lewis invited all to attend the Hernando County Fair, which begins January 28th.

PAT BRAYTON, VICE MAYOR

Street Signs on Alpine Circle

Vice Mayor Brayton stated that the street signs on Alpine need to be changed since it is not "North" Alpine anymore, which Pierce advised would be changed.

E.E. WEVER, JR., COUNCIL MEMBER

Suncoast League of Municipalities

Council Member Wever advised that the SLM has asked the State League to investigate the possibility of a constitutional problem with a Federal Law which says that sales tax cannot be applied to Internet sales.

He went on to state that the SLM's annual trip to Tallahassee during the legislative session will consist of several different trips during the session, rather than just one trip.

Council Member Wever advised that the November SLM meeting will be held in Orlando at the time of the legislative conference of the State League and those who go will have to go at their City's expense.

Charter Amendment - Budget Amendment Appropriations

Council Member Wever requested that the City Attorney take a look at Section 215 of the Charter on Budget Amendment Appropriations. He stated that the Charter states that it cannot be done unless the City finds that it has additional revenue. He would like to know if the City can continue to take money out of the surplus or reserves

Charter Amendment - Financial Reports

Council Member Wever pointed out that Section 3.04(8) requires quarterly financial reports to be presented to Council

and the public.

Fire Department Improvements

Council Member Wever commended the Fire Department personnel for the remodeling work on Fire Station #1. He requested that Fire Chief Daugherty deliver that message to his staff.

MARY A. STAIB, MAYOR

Millennium Celebration

Mayor Staib stated that she has been attending the Millennium Committee meetings for the event to be held February 18 - 19, 2000. She stated that she would report to Council later on details of the event.

KAREN M. PHILLIPS, CMC, DIRECTOR OF ADMINISTRATION

Charter Review Committee

City Clerk Phillips advised that the Charter Review Committee has had their initial meeting and has requested that any charter changes that Council or staff would like for them to consider be distributed to them in their agenda packets to allow them time for review.

Native Plant Society

City Clerk Phillips advised that the Native Plant Society removal of exotic invasive plants and the Garden Club's planting of the millennium tree took place on January 22nd. She felt that it was a good primer for the Good Neighbor Trail work that would need to be done.

CMC Designation to Deputy City Clerk

City Clerk Phillips presented Deputy City Clerk Battista with the official plaque and pin for her recent CMC designation.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:35 p.m.

City Clerk

ATTEST:

Mayor

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SPECIAL COUNCIL MEETING

JANUARY 31, 2000 6:00 P.M.

Brooksville City Council met in special session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; Karen M. Phillips, CMC, Director of Administration; Bobby Daniels; Fire Department; Bill Geiger, Community Development Director; Emory Pierce, P.E., Director of Public Works; Ron Woods, Police Department.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

PRESENTATION OF QUALIFICATIONS - PLANNING AND ADMINISTRATIVE SERVICES AD FOR FY 2000 CDBG COMMERCIAL AND/OR NEIGHBORHOOD REVITALIZATION GRANTS (AD99-14)

The following firms have submitted proposals to provide professional planning and administrative services for the above grant and will make a fifteen minute presentation, followed by a 10 minute question/answer period.

6:15 - 6:40 p.m. Angie Brewer and Associates

6:45 - 7:10 p.m. CRA Consulting, Inc.

7:15 - 7:40 p.m. Fred Fox Enterprises, Inc.

7:45 - 8:10 p.m. Government Funding Specialist, Inc.

8:15 - 8:40 p.m. Jordan and Associates

8:45 - 9:10 p.m. Roumelis Planning and Development Services, Inc.

- 1) Update from Director of Administration on deficiencies and outstanding areas of concern
- 2) Review of procedure for evaluation and ranking
- 3) Selection of consultant for the following service

a) Commercial Revitalization Grant

1) Planning/Application Services

2) Administrative Services

b) Neighborhood Revitalization Grant

1) Planning/Application Services

2) Administrative Services

City Clerk Phillips stated that all Council Members should have received the January 31st memo from the City Clerk stating that the City has received all the needed documents from the proposers via fax and that they have indicated that they will bring the originals to the meeting. She brought up the WBE/MBE certification and stated that the RFP did not specify whether it had to be a state certification or a local government certification. She explained that three firms indicated that they had the certifications. After research, it appeared that only Angie Brewer and Associates has the certification from the State. Roumelis Planning and Development's certification had expired with the City of Tallahassee and they cannot reapply because she does not have any clients that are not governments. Jordan and Associates is certified by the Town of Hillard which had its own certification program not affiliated with the State.

Vice Mayor Brayton commented that when the revised ranking procedure was approved by Council, it was done based upon recommendations and input by Angie Brewer and Associates, the only firm that is apparently certified.

City Clerk Phillips informed Council that references for the firms were attached to the January 31st memo, as well as the corrected Proposal Certification Forms for two of the firms.

Vice Mayor Brayton questioned what would happen in the event of a tie in the ranking. City Clerk Phillips referred to the CDBG Procurement Policy, which reads as follows:

Should a tie for the award occur in the selection process, the firms that tied will be re-evaluated by each evaluator and this subsequent ranking between these firms will determine the prevailing firm. Should a second tie occur, then the award will be made by a motion/vote of the City Council.

City Clerk Phillips stated that the ranking forms had been distributed. She requested that Council Members sign each page. The firms will be evaluated separately for administration and planning in both neighborhood and commercial categories.

Brewer and Associates

Angie Brewer began by presenting a slide show regarding the general functions of their firm, specific items regarding CDBG funding and items needed to maximize points in the CDBG application. She felt that it is important to have creativity in making the extra effort in bringing those funds to the City of Brooksville.

Vice Mayor Brayton stated that he was disappointed in the prior CDBG application submittal and the denial of same. He further brought up for discussion the Water Panel Advisory grant that was just applied for with Brewer's assistance. He stated that it was his understanding that that the grant application was E-mailed to the City Clerk for her finalization, which he felt should have been done by the consultant. Ms. Brewer agreed that all stages of the application should be completed by the consultant, but described some factors involved in the grant which she felt were extenuating, including the minimal direction by FDEP and the short window for the application deadline. She added that FDEP also came up with last minute required documentation which she needed staff's assistance with.

CRA Consulting Engineers-Bud Clark

William "Bud" Clark went over some of the past projects and current projects that CRA has worked with the City on. He showed pictures of infrastructure improvements, water system improvements through CDBG funding, stormwater system improvement, which were projects in other communities. He went over the administration and engineering project team.

Mr. Clark pointed out ways that CRA would go about applying for the CDBG funding and how to gather points that are available. He advised that CRA has a 95 to 96 percent success rate.

Vice Mayor Brayton referred to CRA's Proposal Certification Form under the fee section. He pointed out that it was listed that there is no charge for Grant Planning/Application Services in both the Commercial and Neighborhood categories, which Mr. Clark confirmed. He acknowledged that if CRA is only awarded the grant planning, there would be no charge. He added, however, that he has never been awarded only the Planning and Application services.

In response to City Clerk Phillips' question, Mr. Clark advised that Robert Massarelli would be assigned as the project manager.

City Clerk Phillips advised that all required paperwork had been submitted.

Fred Fox Enterprises

Mr. Fox passed out an information booklet and called attention to items contained therein. He referenced the CDBG grant application submittal and the importance of points needed for rating. Mr. Fox informed Council on recent

projects done in municipalities. He added that Fox Enterprises has the most successful funding rate of any firm.

Vice Mayor Brayton called attention to the Proposal Certification form, specifically referencing the grant planning application services fee of \$7500 payable only if funded. He questioned if the fee would change if Fox Enterprises was only awarded the planning application services. Mr. Fox responded that would apply if they are awarded both parts. If they are only awarded the planning application services, the \$7500 amount would be charged to cover their costs. He responded to City Clerk Phillips' question by stating that should they be awarded Grant planning and Application and Grant Administration and were successful in obtaining funding, the total fee would be \$45,000.

City Clerk Phillips advised that all required paperwork had been submitted.

Government Funding Specialist, Inc.

Stephen Weeks introduced his firm by referencing several points in his proposal. He stated that he also has experience with various types of grant funding prior to forming his firm in 1991. He added that his firm does grant work other than CDBG projects.

He questioned the status of the Commercial Redevelopment Plan, which Phillips advised has been previously approved by Council with a private citizen's group making final touches and working on funding alternatives. She confirmed that the tax increment funding has already been approved.

City Clerk Phillips advised that all required paperwork had been submitted.

Mr. Weeks responded to City Clerk Phillips' question by stating that he would be the project manager assigned to the project.

Roumelis Planning and Development Services, Inc.

Deborah Roumelis gave Council a handout and offered an explanation of the WBE/MBE certification which she does not have through the State because she has been informed that she must have two customers that are not local governments. She stated that at one time, she was certified by Leon County and the City of Tallahassee, but those entities have now chosen to follow State guidelines and procedures.

She began her presentation by stating that she was previously a part of Clark Roumelis and Associates and has worked on City projects in the past. She stated that she can work with any engineer that the City hires, whether they have CDBG project experience or not. She stated that if the City decides they need a lessor scope of services, she can

recompute the fee. She stated that she has reviewed the City's past CDBG application and can suggest changes to be made for the upcoming application.

Ms. Roumelis provided Council with a letter on why they should hire Roumelis Planning and Development.

Council Member Johnston questioned whether Ms. Roumelis' past WBE/MBE certifications and her obviously being a woman-owned firm would qualify for the extra 5 points as listed on the ranking forms. City Attorney Battista stated that he felt that to qualify as "certified" it would need to be a current certification. Vice Mayor Brayton called attention to the ranking which lists "MBE/WBE" as the certification and Brewer and Associates are only certified as "WBE" and may not necessary qualify for the five extra points. City Attorney Battista stated that it is his interpretation that they are certified as either an MBE or WBE business.

Jordan and Associates

Betty Jordan submitted the required original paperwork.

She began by going over their grant experience, which is primarily CDBG funding. She stated that Jordan and Associates does all work on the application in-house and that preliminary engineering or surveying services can be provided. She referred to her poster board presentation and went through their past and current project lists. Ms. Jordan called attention to their commercial revitalization and neighborhood project background. She added that economic development services are available, specifically referencing economic development grants which could be applied for. She touched on the fees presented and stated that she would be happy to negotiate any terms.

Ms. Jordan clarified that Jordan and Associates does not do engineering, but does do subconsulting with an engineering company. She introduced Joseph Mittauer from Mittauer and Associates, who subcontracts with Jordan and Associates on many projects. Ms. Jordan stated that there no cost for services during the application stage.

Ms. Jordan stated she would like to work immediately with the City to receive other grants in an effort to maximize points on the CDBG application. She stated that she would work on leveraging matching grants one against the other.

In summary, Ms. Jordan went over reasons to select Jordan and Associates through their proven CDBG experience.

Vice Mayor Brayton called attention to the Proposal Certification Form listing the planning/application total cost of "Zero" if they are selected for both planning/application services and grant administration for \$9,000 if only selected for planning/application services. He questioned what fees would apply if they are not funded. Ms. Jordan replied that nothing would be owed for the grant planning/application services.

Recess - 7:55 p.m.

Reconvene - 8:14 p.m.

As the result of Council ranking, City Clerk Phillips announced the following:

Planning/Application Services - Neighborhood Revitalization:

#1 Angie Brewer and Associates

#2 Fred Fox Enterprises

#3 Roumelis P&D Services

Administrative Services - Neighborhood Revitalization:

#1 Angie Brewer and Associates

#2 Fred Fox Enterprises

#3 Roumelis P&D Services

Planning/Application Services - Commercial Revitalization:

#1 Angie Brewer and Associates

#2 Fred Fox Enterprises

#3 Roumelis P&D Services

Administrative Services - Commercial Revitalization:

#1 Angie Brewer and Associates

#2 Fred Fox Enterprises

#3 Roumelis P&D Services

Motion:

Motion was made by Johnston and seconded by Lewis to authorize staff to enter into negotiations with the number one ranked firm, Angie Brewer and Associates. Motion carried 5-0.

ITEMS TO DISCUSS BY COUNCIL MEMBERS

MARY A. STAIB, MAYOR

Millennium Celebration

Mayor Staib brought up for discussion a request by the Millennium Committee on whether the City could loan them the B.E.R.T. comfort station. She added that the Spring Hill Fire Department has volunteered to man it if the City could get it there. City Manager Anderson interjected that Council would be required to waive the fees. Council Member Wever stated that the policy requires that City staff remain with the unit and that we would have to absorb the cost of manning it with at least one City employee.

Motion:

Motion was made by Brayton and seconded by Johnston to not waive the fees for the B.E.R.T. comfort station. It was clarified that they can use it as long as they pay the fees. Council Member Lewis pointed out that there is too much money in equipment in the unit to not have it manned by City staff. He added that it may set a precedent for future requests.

Motion carried 4-1, with Staib voting in opposition.

City Clerk Phillips advised that the City will have a booth at the event.

E.E. WEVER, JR., COUNCIL MEMBER

Water Advisory Panel Grant

Council Member Wever referenced the grant application that was submitted December 31st and stated that he has requested additional information and that the item be placed on the February 7th Council agenda.

Lara Bradburn, representative of the community revitalization group, stated that they will be prepared to give their opinion of the grant at the scheduled workshop on February 14th but cannot by the 7th. It was decided to hold the agenda item until the 14th.

Motion:

Motion was made by Brayton and seconded by Lewis to make February 14th a special meeting rather than a workshop meeting. Motion carried 5-0.

CDBG Ranking

Council Member Wever clarified his ranking on CRA Consulting by stating that his reasons for the low score is the notary signature of a rubber stamped signature.

Legislative Funding

Council Member Wever stated that he has thanked State Representative David Russell for supporting a legislative bill to get appropriations for infrastructure replacement funding. Mr. Russell suggested that the City send a letter to him supporting his bill and outlining briefly what the money will be used for. Mr. Wever felt that the Downtown Redevelopment group may want to do something similar to that.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:29 p.m.

City Clerk

ATTEST:

Mayor

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REGULAR COUNCIL MEETING

FEBRUARY 7, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Lee Huffstutler; Director of Finance; Karen M. Phillips, CMC, Director of Administration; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; Ed Tincher; Police Chief.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA*

City Council Minutes

Approval of minutes:

January 24, 2000 - Regular Council Minutes

WWTP Phase I - Change Order #5

Approval of \$5,968.00 increase for mechanical bar screen hopper and chute, modifications to structural support, and change of certain piping.

Motion:

Motion was made by Lewis and seconded by Johnston to approve the February 7, 2000 Consent Agenda. Motion carried 5-0.

REGULAR AGENDA

Reserve Firefighters

Consideration of establishing three Classification of Reserves, increasing requirements, and/or duties, and adjusting pay rates from a flat \$10.00 to hourly firefighter rate (currently \$6.71)

City Manager Anderson requested that this item be deferred to allow time to make additional modifications.

Street Paint Striping

Consideration of authorizing Hernando County to stripe portions of N. Hale, Lamar, Candlelight and Old Darby Lane at negotiated rates for a total estimated cost of \$7,395.62.

Motion:

Motion was made by Johnston and seconded by Brayton to authorize Hernando County to stripe portions of N. Hale,

Lamar, Candlelight and Old Darby Lane at negotiated rates for a total estimated cost of \$7,395.62.

In response to Council Member Wever's question, Director of Public Works Pierce stated that he believes the condition of Old Darby Lane will allow paving. Council Member Wever expressed concern regarding paving on Candlelight and the FDOT work at Candlelight and S.R. 50, which Pierce indicated would be stopped there at this time.

Council Member Lewis questioned how much of Hale would be paved, which Pierce advised would be from Lamar to S. Broad Street.

Motion carried 5-0.

Jerome Brown Community Center - Rate Structure

Consideration of Parks and Recreation Advisory Board's recommendation on user fee schedule.

Director of Parks and Recreation Pugh referred to Exhibit A and Exhibit B, which Council discussed at length. Council Member Wever and Council Member Johnston stated that they prefer Exhibit A rather than B. Council Member Wever felt that some of the rates should be increased. It was pointed out that the schedule shows 8:00 - 4:00 and then 5:00 - close. Pugh stated that the hour in between would be for clean-up but could be changed from 8:00 - 5:00. In response to Council Member Wever's question, Pugh agreed that he could add an additional fee for use of the kitchen. Council Member Wever suggested adding the word "each" to the bottom of each exhibit as it relates to non-city residents. Council Member Johnston questioned why the per hour tournament fee is higher than the per hour tournament fees for the other events. For clarity, Council Member Wever recommended removing the word "tournament". Council Member Wever suggested posting the ordinance along with the fees. City Manager Anderson stated that staff could make the handout clearer.

Director of Parks and Recreation Pugh responded to Council Member Wever's question about the rental fees on Exhibit A by stating that it is a typographical error and should reflect 30 days.

Although in the ordinance, Wever recommended that a sentence be added that there will be no charge for youth activities, which Pugh indicated could be done.

In response to Council Member Wever's question, City Manager Anderson stated that the capacity could be listed on the rate chart. City Clerk Phillips stated that the capacity depends on what type of event is taking place [i.e. banquet seating or auditorium seating].

Motion:

Motion was made by Brayton and seconded by Wever to approve Exhibit A. Council Member Brayton suggested that it can be used over the next 30 - 60 days to see how it works.

Council Member Brayton pointed out that the facility lease agreement is a separate item.

Motion and second were amended to change the rental fees from 10 days to 30 on Exhibit A.

Motion carried 5-0.

City Manager Anderson stated that the facility lease agreement will be put on the next agenda. He requested that if anyone has any suggestions, please get them to staff. Council Member Wever stated that the discussion on the next agenda should include liability insurance for the use of it.

Good Neighbor Trail - Establishment of Planning Sub-Committee

Consideration of establishment of advisory sub-committee of the Parks & Recreation Board to assist in planning of the Good Neighbor Trail head and support facilities.

Motion:

Motion was made by Brayton and seconded by Lewis to approve the establishment of a planning sub-committee.

Council Member Wever recommended adding the Council Member that serves on the Parks and Recreation Board to the committee.

Motion and second were amended to add a Council Member to the sub-committee. Council would then be able to appoint the Council Member who sits on the Parks and Recreation Board.

City Clerk Phillips stated that she would bring back a formal list at the next meeting. She felt that adding an Audubon member may be appropriate.

Light Duty Policy/Sick Leave Revisions

Personnel Board recommended the establishment of (a) light duty policy and (b) revision to sick leave accrual and maximum accumulation.

Light Duty Policy

Council discussed the policy, including non service connected requests and time frames involved. Director of Finance pointed out that this was not regarding FMLA or workers' comp, but strictly authorizing a policy allowing an employee to work in a light duty capacity.

In response to Council Member Johnston's question, City Attorney offered his opinion that there is not a problem with the sentence "pregnancy will be treated the same..."

Motion:

Motion was made by Brayton and seconded by Lewis to approve the proposed light duty policy. Council Member Lewis stated that he would like Council to consider the exceptions listed in the City Manager's memo dated 1/12/00 which included injuries resulting from illegal activities, communicable medical conditions, etc. It was pointed out that it is included under "service connected request" and was discussed whether it should also be under "non-service connected requests".

City Manager Anderson advised that he would bring back a draft amendment to the personnel rules.

Motion carried 4-1, with Johnston voting in opposition.

Motion:

Motion was made by Johnston and seconded by Brayton to add the self-inflicted language to the policy and have the City Manager bring back the amended policy for consideration at the time the personnel rules are brought before Council. Motion carried 5-0.

Revision to sick leave accrual and maximum accumulation.

Council Member Wever questioned whether there are any people at all that have not had enough sick leave time to be able to use what they needed. Director of Finance Huffstutler stated that 25% of employees will take whatever is given to them in sick time and another 25% will not use sick time at all. Mr. Wever voiced his concern for those who need more than the consecutive number of days allowed. Director of Finance Huffstutler advised that the past year, there was almost a dozen employees with serious injuries who were out more than 12 or 15 days. He added, however, that two years prior to that there were only 3 or 4 employees. Huffstutler further stated that he was unsure if that was because the buy back sick policy had gotten old.

Council Member Wever proposed a draft policy for consideration based on a 40 hour a week employee; whereas an

employee would accrue 4 hours per pay period to a maximum of 104 hours which is 13 days. If the employee accrues over that, it would be added to the bank as they accrue it and if they have to use any, it would be deducted from 104, which hours can be built back up to the 104 and at the end of the year, whatever was added to the bank during that year, the employee could then buy 50% of it. He stated that in looking at one of the sections in here on the use and the 50% buy back, the wording says if they can buy 50% of what they do not use during the year, the rest of it goes into the bank, which could be interpreted that if the employee has accrued the maximum and does not buy any of it, all of it goes into the bank and the employee can start fresh. He explained that what he has been used to is a maximum that can be accrued and that maximum stays there until used and then the maximum is replenished as earned. With the bank that is set up, when the maximum is exceeded, it could go into the bank for future use of a case when someone has an illness that will go longer than what has been accrued.

Director of Finance Huffstutler stated that it is similar to what the City had before. He added that the 13 days a year is more than ever done. Mr. Wever felt that the numbers could be adjusted but what he was trying to get at is if it all goes into the bank and the employee, within a few months, has to used more time than accrued, the employee would be forced to go into the bank. Vice Mayor Brayton pointed out that the bank is a non-liability when the employee leaves. He added that the total amount of liability has to be considered except when it is actually used as true sick time. Vice Mayor Brayton further stated that he would not have a problem with accruing more than what is current but felt that it has to remain as a non-liability. Council Members Wever and Johnston agreed. Council Member Johnston stated that the increased bankable amount would not be buyable but is there to use. Vice Mayor Brayton interjected that the more hours given, there are employees that will take every one.

Council Member Lewis stated that with the post office, there is no cash value on sick leave but it is there to be used for long term illness.

Vice Mayor Brayton advised that he was unsure about increasing sick leave to 10 or 12 days a year. City Manager Anderson stated that according to the Personnel Board and staff, it was not so much the number of days but that the cap should be increased. The Board recommended 12 weeks. He suggested that a lower number be chosen, then evaluate it in a year to see if it needs to be increased.

Vice Mayor Brayton pointed out that Council may be considering a disability policy at some point and referenced Mr. Anderson's memo suggesting that it be capped at 6 weeks and stop it there until a decision is made about the disability insurance.

Vice Mayor Brayton suggested that the amount to bank may be increased, but leave the current earning of sick leave as is. City Manager Anderson stated that the words "average hourly work week" would be incorporated to cover all work shifts. Council Member Johnston questioned if there should be some restriction or requirement that the additional sick leave over and above a certain amount must be used in some consecutive fashion to reduce abuse. Vice Mayor Brayton felt that the responsibility should be with the Department Heads for monitoring.

Council Member Johnston pointed out that the bank should be used for catastrophic illness. Council Member Wever felt that the current term used of "long term illness" should be changed to "catastrophic illness" which has definition through the insurance industry.

Motion:

Motion was made by Brayton and seconded by Lewis to increase the cap on accumulations to 6 weeks average hourly work week and that time is to be used for catastrophic illness. Council Member Johnston clarified that would be the cap on bankable hours and that it would be for all employees for which motion and second was amended accordingly. Motion carried 5-0.

Vice Mayor Brayton stated that it appears to be the consensus that the current policy on earning sick leave will remain as is.

Personnel Board Chairman Flannery stated that the Board's main concern was for the new hires that are only accumulating 3 days a year. She felt that the City is losing employees based on that more than their actual salaries. Ms.

Flannery added that the Board's desire is that everyone accumulate the same. City Manager Anderson agreed that there has been a problem for some new hires not having any sick leave accumulated.

Council Member Johnston suggested allowing those employees to accumulate a different class sick leave that could only be accumulated for use for the bank but not eligible for buy back. Council Member Lewis further suggested that it could be that there would be "x" number of years before that employee is eligible for buy back. He added that an employee could be given 10 days but 50% of that is bankable only for catastrophic illness for "x" number of years.

Council Member Wever suggested instead of making the unused sick leave go into the bank at the end of each year, let them accumulate up to a maximum of 10 or 12 days and after that, it would go into the bank.

City Manager Anderson advised that there are a couple of employees that have hundreds of hours but there is no differentiation that if they do take a sick day, is it one earned last month or 3 years ago. Council Member Johnston stated that it is his understanding that now the City would be creating a separate class of bankable hours. The new hires can only use up to a certain number of hours per year and the rest of those are actually in the bank up until the anniversary of their hire, at which point the remaining hours that have accumulated would be then be available. Council Member Lewis stated that it would give them more sick leave in the first few years but restricting as to how it could be used. Vice Mayor Brayton suggested that if the employees were given 10 days a year, it would be capped out in three years. Council Member Lewis stated that after that 3 or 4 years, that employee would have the same option as any other employee; buy back of a certain percentage of their leave.

Vice Mayor Brayton suggested that staff come back with proposals, adding that he likes the proposal of increasing the 3 to 10 days with half of it being banked. Vice Mayor Brayton further suggested that Council can give their proposals in writing to the City Manager. Mr. Anderson added that also included in this is long term and short term disability.

City Clerk Phillips questioned if Council would be addressing bi-weekly accumulation and period of time for availability of sick leave. It was the consensus of Council not to address those at this time.

City Manager Anderson stated that he would send a draft to the Personnel Board for their review.

Mayor Staib thought that this item should have been a Council workshop.

RFP - Optional Insurance Benefits Coordinator/"Cafeteria Plan" Administrative Services

Council authorization to advertise for "Cafeteria Plan" services and optional employee insurance programs effective 10/1/00 is requested.

Motion:

Motion was made by Brayton and seconded by Lewis to authorize advertisement for "Cafeteria Plan" services and optional employee insurance programs effective 10/1/00 as requested. Motion carried 5-0.

Grant - FDEP Land and Water Conservation Fund Program

Further consideration of pursuit of grant and authorization to contract with Special Projects Consultant if application to be pursued at a fee of \$2,800.

Motion:

Motion was made by Brayton and seconded by Johnston to approve staff's recommendation that further efforts to apply for this year's grant be discontinued and plan for a subsequent application if the grant program is available in the next fiscal year.

In response to Council Member Wever's question, City Clerk Phillips agreed that this program is similar to the FRDAP grant. Council Member Wever stated that he would be inclined to go after the one that is in existence if the City is not

able to go after the FDEP grant at this time. Council Member Wever stated that staff should inquire as to whether the two properties identified for the FDEP grant are available and start negotiations on them while the City waits to apply again. Council Member Brayton felt that staff should definitely do a survey of surrounding property owners before proceeding with next years FDEP grant.

Motion carried 5-0

Public Works - Project Status

Status report.

Director of Public Works Pierce reported that Coastal Engineering Associates, Inc. has issued a substantial completion report for the Cobb Road WWTP with minor items to be straightened out before final completion.

Pierce reported that change order #5, as approved by Council at this meeting, is the last planned change order. He stated that there is a question of what to do with the remaining \$74,000 in the contingency fund and one option would be that the money be transferred to reroute the lines around the golf course. He added, however, that USDA is hesitant about that suggestion. Pierce advised that another option would be to use most of the money to purchase instrumentation at the plant to control motors to comply with FDEP requirements. Pierce stated that he would come back to Council with a proposal to add instrumentation in the form of a change order.

The Director of Public Works advised that all the sewage that flows through the City is being treated at the new plant. Croom Road Plant is off line and demolition has started. He reported that the School Street Plant is not off line as there is a problem between DEP, Centerline and Civil-Tech concerning as-builts. He added that only 10 - 20 percent goes through School Street and is treated there and that is being treated again at the new plant.

Pierce stated that the examining flow meter readings at the plant have resulted in a discrepancy in the new electronic readings that do not jive with the turban meter that measures flows to the Florida Crushed Stone plant.

Council Member Wever stated that he believes that what money is leftover should be covered in the bond resolution which states what the money can or cannot be spent on.

Regarding the paving of Summit Road, Pierce advised that it was being paved this date with School Street scheduled to be paved tomorrow.

Director of Public Works Pierce requested permission from Council to start installing eight additional driveways on School Street.

Motion:

Motion was made by Brayton and seconded by Johnston to authorize installation of eight additional new driveways at cost not to exceed \$12,000. Motion carried 5-0.

Pierce addressed the effluent line through the golf course and stated that the fee proposal from Civil-Tech was rejected by USDA as being too high. USDA also rejected Pierce's offer that staff do all the work. He has been instructed to try to negotiate a reduced fee with Civil-Tech, which he hopes to have before Council at the next meeting. He added that it makes liquidated damages a moot issue.

Director of Public Works Pierce advised that the JPA FDOT work is progressing rapidly. He stated that there are issues that the contractor has raised concerning the bypass pumping, which is going before the disputes review board. They will make a non-binding decision. He felt that the City Attorney should attend these meetings. Pierce added that expert witnesses can be present at the meeting tentatively scheduled for February 28th or 29th.

Motion:

Motion was made by Brayton and seconded by Lewis to have the City Attorney be present at the necessary meetings. Motion carried 5-0.

Pierce reported that the Jasmine Drive Notice to Proceed had been issued and the project is proceeding.

Regarding the street paving project, Pierce advised that Grubbs Construction has indicated that they would finish the project by the third week of February.

The Public Works Director stated that the Alpine Circle Sewer Rehab Project should be rebid shortly.

Concerning the Wesleyan Village water line, Pierce reported that both FDEP and FDOT have offered acceptance and the City would subsequently accept it in one year.

Len Tria, Coastal Engineering, advised that they are currently working on getting an agreement with PHCC so that the drilling process for the new well field can begin. He stated that an interlocal agreement with PHCC may be more appropriate than a water and sewer agreement. He stated that he would get in contact with the City Attorney so that document can be drafted. In response to Council Member Wever's question on whether the interlocal agreement would be ready for the special meeting on February 14th, Battista stated that it should be ready at that time. Wever stated that the WRWSA meets on the 16th and he would like to take them a copy for their consideration if Council approves it on the 14th.

CITIZEN'S INPUT

Blocking roads for events

Resident Ray Henderson distributed a petition signed by several residents of northwest Brooksville. He requested that Council consider not permitting anymore events such as the Flatlanders Challenge to close certain streets which blocks in residents for hours at a time.

ITEMS BY COUNCIL MEMBERS

E.E. WEVER, JR., COUNCIL MEMBER

County Contract - Weed Control

Council Member Wever referred to a Hernando County Commission Consent Agenda item on weed control and requested that staff take a look at that contract to see if the City can join it.

Brooksville Nursing Manor - Garbage Service

Council Member Wever called attention to the dispute between the Nursing Manor and BFI, the garbage company that serviced the facility before it was annexed. He requested that the City obtain a copy of that contract, which Battista indicated had already been requested but not received at this time.

Request to Buy or Lease Property Around Sewage Plant

Regarding the request from a private interest to buy or lease a portion of the 40 acre sewer plant site, Wever stated that he would not agree to lease or sell any of the property. He added that the City may want to move utilities out there someday.

School Street drainage problems

Council Member Wever stated that the City may wish to consider using the area behind the School Street plant as a retention area to assist in controlling the water flooding problems.

MARY A. STAIB, MAYOR

Millennium event

Mayor Staib stated that she had a map and schedule of the millennium event activities if Council would like to review it.

FDOT Landscaping Grant

Mayor Staib advised that Community Development Director Geiger would be before the County Commission at their meeting on the 8th to report on the City's support of the project.

Geiger further stated that the Commission will be addressing the Southern Pine Beetle suppression problem. It was discussed that the County should be asked to have the City included in the program due to the fact that residents pay County taxes.

RICHARD E. ANDERSON, CITY MANAGER

Cheyenne Pass Landfill

City Manager Anderson stated that the \$8,000 is still the City's share of resolving the problem, although he expects that to increase.

Economic Development Tax Incentive

City Manager Anderson requested that Council approve up to \$500.00 to be used for an advertising agency's assistance in laying out the ballot referendum ads.

Motion:

Motion was made by Brayton and seconded by Johnston to approve those funds necessary. Motion carried 5-0.

KAREN M. PHILLIPS, CMC, DIRECTOR OF ADMINISTRATION

Special Meeting February 14, 2000 - Revitalization

City Clerk Phillips reminded Council of the Special meeting on the 14th at 6:00 p.m.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:53 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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SPECIAL COUNCIL MEETING

FEBRUARY 14, 2000 6:00 P.M.

Brooksville City Council met in special session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Karen M. Phillips, CMC, Director of Administration; Emory Pierce, P.E., Director of Public Works; Terry Chapman, Police Chief Captain.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSULTANT AGREEMENTS - CDBG GRANT SERVICES

Approval of two agreements with Angie Brewer and Associates for Consultant Services related to (A) the FY2000 CDBG Grant Program for planning and application services related to submission of grant applications for Commercial (\$2,500) and/or Neighborhood Revitalization (\$2,000), and (B) the subsequent administration of successful program (\$40,000).

Motion:

Motion was made by Johnston and second by Lewis to approve both agreements with Angie Brewer and Associates. Motion carried 5-0.

COMMUNITY REVITALIZATION/DOWNTOWN REDEVELOPMENT PLANS

1. Update on progress of the above plan related to the FY2000 CDBG Program.
2. Water Facilities Grant Application - Sewer Rehabilitation Program

City Clerk Phillips stated that this part of the meeting would be to discuss the plans, what will happen in the future and what everyone would like to see happen.

Bill Geiger, Community Development Director, reported that City staff has been meeting with the Downtown Development Corporation, Inc., on a monthly basis to discuss detailed portions of a master plan for the City.

Lara Bradburn stated that their committee has been going over things that need to be accomplished before applying for the CDBG grant; some of the things City staff is required to do and what the committee can help with. She suggested that this meeting address who is responsible for what in an effort to maximize the points needed for the application.

Ms. Bradburn addressed the legislative funding of \$1.65 million that their committee and the City have been striving to get a portion of for economic renewal. She advised that the letters requesting support of the funding have been sent to legislators. She mentioned that improvements to water pressure and infrastructure would be some of the items that the funding would be focused on. She went over many of the groups that should be involved in the revitalization effort and the media contacts for press coverage.

Council Member Wever stated that he had a problem with combining publicity on the economic development referendum issue with other projects and felt that they should be separate. Ms. Bradburn agreed as far as radio and newspaper spots, but felt that when doing a radio interview, many topics can be covered. Ms. Bradburn offered that their group could assist in promoting the referendum question by distributing flyers, preparing a letter from the Mayor to the residents, approaching banks in putting something in their monthly statements. She stated that they have offered to help the Community Development Director draft guidelines and a talking point sheet in a bullet format to explain the issue.

Council Member Johnston stated that the main point that needs to get across to the residents is that this does not diminish the tax base from what it currently is.

Council Member Lewis felt that the bullet points need to be included in the letter from the Mayor. City Manager Anderson stated that staff has developed a draft of the display ad and letter from the Mayor, which are being reviewed by the advertising company. He stated that the letter would then be reviewed by the various interested groups and individuals, and then to Council for review. He stated that the plan is to get the information to the printer by March 1st and in the mail by March 8th.

Lara Bradburn suggested personal letters to groups within the City, such as the Cloverleaf Homeowners. Mayor Staib stated that she has a letter for the newsletter and an ad to run on the T.V. station. Ms. Bradburn requested that Mayor Staib provide their group with the residents' addresses so that Downtown Development could send a letter as well. Mayor Staib suggested providing one letter to the Homeowner's Association to be read to the membership. Mayor Staib agreed to provide the contact to Ms. Bradburn.

Ms. Bradburn requested that Council be provided a copy of the letter that the Downtown Development Corporation has written in support of the legislative funding.

Angie Brewer, Brewer and Associates, addressed the application for the Water Facilities Grant Application - Sewer Rehabilitation Program which was submitted to reflect the maximum need that could be identified for Brooksville. The application also reflected that this community should be given every consideration to have the local match either waived or minimized. She went over details of the grant and the application and submittal process. She recommended that this community should contact legislators to fight for funding and for how funding will be distributed, such as only competing with other small communities.

Ms. Brewer advised that there is a legislative bill currently in committee to set up \$100 million funding for rural, disadvantaged communities to address water and wastewater improvements.

In response to City Clerk Phillips's question, Ms. Brewer recommended that someone from City Council or staff accompany her to Tallahassee to encourage legislators to support the Water Facilities Grant funding. Lara Bradburn added that legislators should also receive letters and phone calls.

City Clerk Phillips recommended that Council not attempt to meet with legislators during the Florida League of Cities Legislative Action Day due to the mass of City officials present at that time, but to choose some other time during the legislative session. Ms. Bradburn stated that each legislator has a web site which includes hints for lobbying and the number one hint is to approach them with one issue at a time.

Rather than sending a group up for the Legislative Action day, Council Member Wever stated that the SLM is going to send a few people to Tallahassee at different times throughout the legislative session.

Lara Bradburn presented Council with a list of legislators, their addresses, phone numbers and E-mail addresses.

Ms. Bradburn felt that it is a major accomplishment for the Downtown Development, staff and Council to agree that infrastructure is the main priority.

In response to Ms. Bradburn's question regarding the W.A.G.E.S. hiring, City Clerk Phillips advised that they have received one application and expects more to come in over the next few days. She added that staff may be requesting

that Council consider waiving minimum requirements for hiring under the W.A.G.E.S. program. It was pointed out that hiring a W.A.G.E. employee would add points for the CDBG application. Ms. Bradburn also addressed the loan pool, which is another source of points for the application, which Phillips advised was being worked on.

Vice Mayor Brayton requested that the Council be kept up to date on any progress and activities of the group towards the revitalization effort.

Lara Bradburn commended Community Development Director Geiger for his helpfulness during the project.

Council Member Wever stated that although he appreciated Ms. Brewer's work and the work of the committee, he did not like seeing an application being submitted for a project without Council's approval, review or discussion., such as the case with the Water Facilities Grant Application. He added that had he been the Mayor, he would not have signed that application in that he had a lot of problems with the material contained in the application. He referenced past utility rate increases and stated that the only way he would support another rate increase would be to comply with USDA financing. Further he advised that he has a problem with statistics in front of him that say that the new water treatment plant is near capacity.

Motion:

Motion was made by Wever that no future grant will be submitted without prior approval and review by Council. Motion died for lack of a second. Vice Mayor Brayton stated that while he agrees with Council Member Wever that Council should approve all grant submittals, he did not feel that it needed to be a formal motion but on a grant by grant basis. He also expressed his concern about the contents of the Water Facilities Grant Application.

Ms. Brewer stated that she was uncomfortable with the short time frame involved in the submittal of the grant and gave her assurances that in the future, she will present Council with a draft of the document, if time allows.

Council Member Lewis stated that he is in agreement with the grant application and is satisfied with the work done by Brewer and Associates.

FLORIDA COMMUNITIES TRUST - GOOD NEIGHBOR TRAIL

Florida Communities Trust requires (a) approval of Addendum VIII to the Conceptual Approval Agreement increasing the total project award for acquisition and related costs to \$674,000, and (b) authorize City Manager and City Attorney to approve closing documents.

City Clerk Phillips informed Council that the CSX closing is scheduled for February 23rd, with the Bacon and Gilman properties closing on the 25th. She advised that in an effort to meet those dates, the request for approval of the Addendum VIII and closing documents is before Council for consideration.

Motion:

Motion was made by Lewis and seconded by Wever to request an increase to the total project award for acquisition and related costs to \$674,000. Motion carried 5-0.

Motion:

Motion was made by Lewis and seconded by Wever to authorize City Manager and City Attorney to approve closing documents. Motion and second were modified to allow the Mayor, City Manager or City Attorney execute the closing documents. Motion carried 5-0.

Ms. Bradburn, Downtown Development Group, advised that the trail is important to the financial stability and growth of the community and may be second only to infrastructure improvements.

Council discussed the Downtown Development's offer to help organize a committee that would include citizen's

participation as well as those with expertise such as an MPO and Division of Forestry representative. City Clerk Phillips stated that that group may be focused more on the economic end of it whereas she is concerned from a City standpoint about ensuring that requirements of the management plan get done, which include such things as submittals of monitoring and stewardship reports to the State.

Police Captain Chapman voiced his concern from a safety standpoint that the trail needs to be cleared of underbrush and fully lighted.

The Council discussed the formation of the committee and the Sunshine Law as it may apply to it. City Clerk Phillips stated that she had planned to present establishment of the Committee at the next Council meeting. Sherry McIntyre interjected that they would support an over-all planning committee that would manage all details of the trail. City Clerk Phillips offered her opinion that she would feel more comfortable if the committee was guided by the Sunshine Law to allow all citizen's of Brooksville to be aware of what is going on, not just a certain group that the average citizen may not be associated with.

RESOLUTION NO. 2000-02 - SOUTHERN PINE BEETLES CONTROL PROGRAM

Consideration of resolution declaring emergency situation relating to removal of Southern Pine Beetles.

City Clerk Phillips read Resolution No. 2000-02 by headnote only, as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, DECLARING A TREE EMERGENCY WITHIN ITS INCORPORATED AREA ARISING OUT OF THE IMMINENT THREAT AND DESTRUCTION OF TREES CAUSED BY THE INFESTATION OF SOUTHERN PINE BEETLES; PROVIDING FOR THE COORDINATION OF SUPPRESSION EFFORTS WITH HERNANDO COUNTY; DECLARING AS A PUBLIC PURPOSE THE EXPENDITURE OF PUBLIC FUNDS FOR BEETLE SUPPRESSION AND AUTHORIZING THE EXPENDITURE OF THE PUBLIC FUNDS; AUTHORIZING THE IMPLEMENTATION OF THE HERNANDO COUNTY EMERGENCY SUPPRESSION PROGRAM WITHIN THE INCORPORATED AREA OF BROOKSVILLE; PROVIDING AN EFFECTIVE DATE.

In response to Council Member Wever's question, Community Development Director Geiger stated that County staff is recommending approval of this program when it goes before the Commission on February 15th. Geiger responded that 48 out of the 52 identified trees are within the City limits. Geiger stated that the suppression program should not cost \$5,000, which is the amount listed in the resolution, unless more affected trees are discovered.

Motion:

Motion was made by Brayton to table the item until the County acts on it. He withdrew motion for lack of second.

Council Member Johnston expressed concern that Council is being asked to approve something that the County may not accept. Geiger interjected that the County could say the same thing tomorrow about the City if the City tables the resolution. He clarified that the suppression program plan has been approved by the County, but not the resolution with the costs outlined. He stated that the Division of Forestry has advised that the longer the time period goes by, the more the beetle will spread and the more expensive the tree removal.

Motion:

Motion was made by Wever and seconded by Lewis to approve Resolution No. 2000-02. Upon roll call, motion carried 5-0, as follows:

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

ITEMS TO DISCUSS BY COUNCIL MEMBERS

E.E. WEVER, JR., COUNCIL MEMBER

WRWSA Board - Well field

Council Member Wever stated that he would take the Well Field agreement to the WRWSA Board at their meeting on February 16th for their attorney's review.

Proposed Water legislation

Council Member Wever stated that the WRWSA would be addressing several legislative bills affecting water at their meeting on the 16th and he would report on them at the next Council meeting.

WRWSA Grant Cycle

Council Member Wever reported that the new grant cycle begins in May in case there is funding that staff feels should be looked out.

Quality City Magazine

Council Member Wever stated that the latest issue of the Quality City Magazine includes proposed legislative bills that Council should be aware of. He particularly called attention to a resolution on sales and use tax fairness relating to Internet sales. He stated that he may get more information on that at the Heart League and SLM meetings.

KAREN M. PHILLIPS, CMC, CITY CLERK

Millennium Event

City Clerk Phillips stated that the City would have a display at the Millennium Festival on February 19th.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:30 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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REGULAR COUNCIL MEETING

FEBRUARY 22, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Lee Huffstutler; Director of Finance; Karen M. Phillips, CMC, Director of Administration; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; Ed Tincher; Police Chief. A representative of the St. Petersburg Times was also present.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA*

City Council Minutes:

January 31, 2000

W.A.G.E.S. employee

Authorize exception for participants from certain minimum position Classification requirements for maximum of 180 days.

Motion:

Motion was made by Lewis and seconded by Johnston to approve the February 22, 2000 Consent Agenda.

Vice Mayor Brayton expressed concern about waiving minimum standards for an employee although he stated that he understood that it adds points to the CDBG application. City Clerk Phillips stated that the current plan would be to hire two positions that the City utilizes anyway; one in Public Works and one in Parks. City Manager Anderson stated that the employees would be hired at minimum wage. City Clerk Phillips asserted that essentially they would be waiving the G.E.D. and driver's license requirements. It was pointed out that 520 hours would be needed to obtain to receive the CDBG points.

Vice Mayor Brayton questioned why the W.A.G.E.S. program could not supply employees that do meet the requirements, to which Anderson responded that there may not be any qualified individuals.

In response to Council Member Johnston's question, City Attorney Battista did not feel that there would be any danger in creating a special class which do not have to meet City requirements because CDBG is a special program.

Motion carried 4-1, with Brayton voting in opposition.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Margaret Ghiotto Beautification Award

Recognition of improvements made to 180 Mt. Fair Ave. owned by James and Lee Gordon.

Mayor Staib presented the Certificate and plaque to James Gordon.

REGULAR AGENDA

"Frontage Road" and related projects

S.R. 50/50A Corridor and Public Infrastructure Plan.

Coastal Engineering Associates, Inc. President Cliff Manuel began by stating that the frontage road project was designed in several lengths and referred to those depicted on his poster board presentation. He advised that other than the primary access at S.R. 50, the next access point would be at the Brooks Carver property, which includes a connection between access points. He referenced a portion of the frontage road that has already been established and still meets frontage road standards. He requested that City staff review their proposal. He related that each property owner along the route will need to accept the concept. Mr. Manuel offered his recommendation that the City Attorney and Director of Public Works should be involved in the meetings with the property owners, assuming that Council agrees with the plan.

Mr. Manuel addressed the drainage along the proposed route and stated that there are no unusual issues to be dealt with but there are a couple of mitigation issues to be addressed. He went over the drainage route and pointed out where DRA's need to be obtained or set aside by property owners. He stated that the cost estimate of such has been established. The previously constructed portion along the frontage road has a drainage area set aside and conforms to the frontage road concept. Mr. Manuel added that there would need to be minor modifications to the Donto portion of the drainage route, which is included in the cost estimate. He went over the drainage route of what he would call the second frontage road system, the Church property which is in the 100 year flood plan and is considered a ponding area or a historic storage area. The option would be to displace the water and store it but not to put it on other properties. He stressed that drainage and mitigation issues must be addressed if the frontage road is going to work. He recommended a proposal wherein there would be a 70 foot right of way with 10 feet on each side for drainage. He informed Council that there is another area behind Sims and Industrial Electric that is also a low lying area and has historic storage implications where water would be required to be displaced in the same basin.

Mr. Manuel went over preliminary cost estimates based on only 30 percent of design work completed. Vice Mayor Brayton questioned and Director of Public Works Pierce confirmed that he agrees with the conceptual rendering. Discussion ensued over Council Member Johnston's concern on the location of a sink area, which Mr. Manuel advised was not an active sink hole.

Mr. Manuel went over a few of the property owners that he has already spoken to who have expressed interest in the project. He advised that the Revenaugh family has indicated the desire to discuss with the City why they should do it. He stated that the Manuel/David property owners have expressed an interest, however, the Church needs to be met with and their interest solidified. It was discussed whether to use the Brooks property for one of the access and whether a road for public right-of-way in that area is essential, which Mr. Manuel agreed with Council Members Johnston and Lewis that it was not.

Motion:

Motion was made by Brayton and seconded by Johnston to accept the plan conceptually as present and have staff and Coastal met with the property owners.

Council Member Wever pointed out that the cost did not include an estimate for a lift station, which Manuel acknowledged was inadvertently left off but would be added at an estimated cost of \$90,000 - \$115,000.

Motion carried 5-0.

Jerome Brown Community Center - Facility Lease Agreement

Consideration of Center's Facility Lease Agreement and fee schedule.

A lengthy discussion ensued regarding changes in rates on the fee schedule, which by consensus were increased at most levels, as follows:

Conference Room First Hour - Weekdays after 5:00: \$25.00 to \$35.00

Conference Room First Hour - Weekends and holidays 8:00 - 4:00: \$35.00 to \$45.00

Conference Room Ea. Additional Hour - Weekends and holidays - 8:00 - 4:00: \$15.00 to 20.00

Conference Room First Hour - Weekends and Holidays 5:00 - 11:00: \$15.00 to \$20.00

Community Center Hall First Hour - Weekdays 8:00 - 4:00: \$35.00 to \$45.00

Community Center Hall Ea. Additional Hour - Weekdays 8:00 - 4:00: \$15.00 to \$20.00

Community Center Hall First Hour - Weekdays after 5:00: \$50.00 to \$60.00

Community Center Hall Ea, Additional Hour - Weekdays after 5:00: \$20.00 to \$25.00

Community Center Hall First Hour - Weekends & Holidays 8:00 - 4:00: \$60.00 to \$80.00

Community Center Hall Ea. Additional Hour - Weekends and Holidays 8:00 - 4:00: \$20.00 to \$25.00

Community Center Hall First Hour - Weekends and Holidays 5:00 - 11:00: \$60.00 to \$80.00

Community Center Hall Ea. Additional Hour - Weekends and Holidays 5:00 - 11:00: \$20.00 to \$25.00

Hall and Conference Room Additional Hour - 4 hours Weekdays 8:00 - 4:00: \$25.00 to \$35.00

Hall and Conference Room One Day - 8 hours Weekdays after 8:00 - 4:00: \$175.00 to \$200.00

Hall and Conference Room Additional Day - 8 hours Weekdays 8:00 - 4:00: \$100.00 to \$125.00

Hall and Conference Room Additional Hour - 8 hours Weekdays 8:00 - 4:00: \$25.00 to \$35.00

Hall and Conference Room - Weekdays after 5:00: delete all amounts, change to \$75.00 first hour and \$35.00 for each additional hour

Hall and Conference Room One day - 4 hours Weekends and Holidays 8:00 - 4:00: \$150.00 to \$175.00

Hall and Conference Room Additional Hour - 4 hours Weekends and Holidays 8:00 - 4:00: \$25.00 to \$35.00

Hall and Conference Room One day - 8 hours Weekends and Holidays 8:00 - 4:00: \$200.00 to \$300.00

Hall and Conference Room Additional Hour - 8 hours Weekends and Holidays 8:00 - 4:00: \$25.00 to \$35.00

Hall and Conference Room Weekends & Holidays 5:00 - 11:00 First Hour \$100.00 and \$35.00 each additional hour

It was decided that the use of the kitchen should be added for a \$25.00 fee.

In addition, it was discussed that the security deposit is payable at the time of the execution of the lease agreement. The applicant would get a refund of a certain percentage depending on when they cancel. The rental payment, or balance, is due 10 days prior to the event.

Mayor Staib stated that this item would be brought back to Council for consideration, to which City Manager Anderson agreed.

Good Neighbor Trail - Establishment of Planning Sub-Committee

Consideration of Parks & Recreation Board sub-committee to assist in planning of the Good Neighbor Trail Head and support facilities. [from 2/7/00 mtg]

City Clerk Phillips stated that staff has gotten an acceptance from each person listed but she added that the organization may send a representative rather than that specific person. Vice Mayor Brayton voiced concern that if this committee is under the Sunshine Law, then a specific person should be appointed, not the organization.

Council Member Johnston felt that at this point, Council is approving the establishment of the committee. Once that is done, those organizations need to say who would be serving as the permanent representative.

Motion:

Motion was made by Johnston and seconded by Lewis to approve the structure of the committee and have those organizations report back to Council with their designee for ultimate appointment by Council.

It was pointed out that the list should include both a member of the Parks and Recreation Board and the Council Member who serves as the Parks and Recreation Board liaison. Motion and seconded were amended accordingly.

Motion carried 5-0.

Light Duty Policy/Sick Leave Revisions

Consideration of establishing (a) "light duty" policy and (b) increasing sick leave accrual limit. [from 2/7/00 mtg]

Light Duty Policy

In response to Council Member Wever's discussion, it was decided to change the language of Item # 5 to read "...and will be limited to a maximum of 90 calendar days". The rest of the paragraph at that point would be deleted.

Motion:

Motion was made by Brayton and seconded by Lewis to approve with the amended noted.

After discussion of Item #7, it was decided to change the language to "Employee is not receiving other compensation".

Motion and seconded were amended accordingly.

Motion carried 5-0.

Sick Leave Revisions

Motion:

Motion was made by Brayton and seconded by Lewis to approve the revisions as outlined in the City Manager's memo dated February 23rd. Motion and second were amended to include an effective date of the 1st pay period in October.

Public Works employee, Donna Lopez, expressed concern regarding the low accumulation of sick hours by new employees. Council Member Johnston advised that he was working on a recommendation related to that and he would present it to the City Manager to be subsequently brought to Council.

Motion carried 5-0.

Appointment of Board Members

Consideration of appointments to the Beautification Board (one vacancy) and Personnel Advisory Board (two vacancies).

Motion:

Motion was made by Brayton and seconded by Wever to reappoint Love Harden and Lori Allen to three year terms on the Personnel Board through January 31, 2003. Motion carried 5-0.

Motion:

Motion was made by Johnston and seconded by Brayton to reappoint Janet Schlaich to the Beautification Board for a three year term through January 31, 2003. Motion carried 5-0.

Public Works Projects

Status report on FDOT improvements at Mildred Ave. intersection.

Director of Public Pierce referred to a set of plans from FDOT on the Mildred Ave/Jefferson intersection and the turn onto Ft. Dade Ave. He stated that FDOT has requested comments on the plans.

Council discussed the fact that the plan has improved the intersection, but it was the opinion of Vice Mayor Brayton and Council Member Johnston that there would have been better places to spend the money than at the Ft. Dade intersection.

Vice Mayor Brayton and Council Member Lewis felt that the money could have been spent to reverse the one-way pairs.

City Manager Anderson stated that FDOT could be asked to send the City the final plan.

Vice Mayor Brayton stated that if the City voices any opposition to the plan, FDOT will delete the improvements altogether and give the money to another community so Council might as well accept the plans.

Vice Mayor Brayton stated that Mr. Pierce could invite them to discuss the item.

Dental Self Insurance Plan

Consideration of rate and benefits adjustments.

Motion:

Motion was made by Brayton and seconded by Johnston to approve the Dental Self Insurance Plan as presented. Motion carried 4-1, with Wever voting in opposition. Council Member Wever felt that the proposed cuts are too deep. He added that he would like to see estimate for 1999 reported to Council. Council Member Johnston felt that the City should do a one year trial run to see what the impact would be.

Jerome Brown Community Center - Impact Fees

Approval of transfer from contingencies to Park Impact fees.

Motion:

Motion was made by Brayton and seconded by Johnston to authorize payment of impact fees and subsequent transfer to project account. Motion carried 5-0.

CITIZEN'S INPUT

Corridor Plan

Pastor Tom Wier, Grace Tabernacle Baptist Church stated that although they want to be good citizens, they are disappointed that the Church has never been contacted about the 70 foot of property that the City is considering for the frontage road. He added that from the Church's standpoint, the frontage road is neither needed or wanted. Vice Mayor Brayton stressed this is the first time Council has seen this particular plan, which is preliminary at this stage and that staff is now authorized to contact the property owners.

ITEMS BY COUNCIL MEMBERS

E.E. WEVER, JR., COUNCIL MEMBER

Withlacoochee Regional Water Supply Authority

Council Member Wever advised that the WRWSA has sent out notices for a possible grant for an amount to be decided at their March meeting and suggested that staff look at that as something the City may want to apply for.

He advised that a legislative bill is being presented which would open up a water war from south to north.

Heart of Florida League

Council Member Wever informed Council that at their meeting in April the Heart League will discuss asking the City members to furnish a secretary/treasurer on a annual, rotating basis.

Mr. Wever advised that Representative Nancy Argenziano has related that she is opposed to the Governor's budget in that it is not clear and has sent her proposal back to him. She informed the Heart League that this year there are many "lame duck" members of legislature, which could result in a number of bills being pushed through to appease private interest groups. He further stated that Representative Argenziano advised that the applications for the Water Advisory grant exceed the money available.

Council Member Wever stated that Ms. Argenziano was also asked her opinion on the issue of taxing sales on the Internet, to which she advised that since it was election year, she did not feel that it would be addressed.

Suncoast League of Municipalities

Mr. Wever advised that the SLM discussed the sales tax on Internet sales at their last meeting and stated that there is a resolution in one of the Florida League of Cities' bulletin regarding this issue.

Council Member Wever reported that there is a proposed legislative bill that would allow developers to bypass the Planning and Zoning Commission and take their petitions to Court for resolution.

RICHARD E. ANDERSON, CITY MANAGER

Economic Development Tax Referendum

City Manager Anderson stated that he distributed a copy of a letter to the residents on the upcoming election and requested that Council Members take a look at it and call him with any suggestions/revisions as he plans to get the information to the printer on Tuesday or Wednesday. He advised that there would be a follow-up mailing and a draft of that is also included for their review.

Senior Housing Complex

City Manager Anderson advised that he had received a fax from CRA Consulting Engineers which reported that they would be resubmitting an application shortly and has requested that the City send updated notices to the State

regarding the City's commitment of the property. He stated if there are no objections, he will resubmit the same material.

KAREN M. PHILLIPS, CMC, DIRECTOR OF ADMINISTRATION

Great Floridians 2000

City Clerk Phillips reported that all of six nominees been accepted by the State for the Great Floridians 2000 program.

Craft and Jazz Festival

City Clerk Phillips informed Council that the Chairman of the Downtown Craft Fair scheduled for March 11th and 12th has advised that the event has been canceled due to the lack of interest from vendors.

Cobb Road Water Reclamation Facility

City Clerk Phillips reminded Council of the March 1st WWTP dedication ceremony from 11:30 a.m. - 1:30 p.m. at the plant site.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:20 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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REGULAR COUNCIL MEETING

MARCH 6, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; Michael Dow, Fire Department; Bill Geiger, Community Development Director; Lee Huffstutler; Director of Finance; Karen M. Phillips, CMC, Director of Administration; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher; Police Chief. A representative of the St. Petersburg Times was also present.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA*

City Council Minutes:

February 7, 2000 - Regular Council Meeting

February 14, 2000 - Special Council Meeting

Motion:

Motion was made by Johnston and seconded by Lewis to approve the February 22, 2000 Consent Agenda. Motion carried 5-0.

REGULAR AGENDA

Resolution No. 2000-03 - Cable Franchise

Approval of merger between Time Warner and America Online, Inc.

City Clerk Phillips read resolution No. 2000-03 by headnote only, as follows:

A RESOLUTION PROVIDING FOR THE CHANGE IN CONTROL OF A CABLE TELEVISION FRANCHISEE

There was no public input on the resolution.

Motion:

Motion was made by Johnston and seconded by Wever to approve Resolution No. 2000-03. Upon roll call, motion carried 5-0, as follows:

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

Resolution No. 2000-04 - Proposed Legislation for "Sales and Use Tax Fairness"

Consideration of resolution supporting legislation authorizing state and local governments to establish and collect legally due sales and use taxes on goods and services sold through any medium, including Internet sales.

City Clerk Phillips read Resolution No. 2000-04 by headnote only, as follows:

A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA, REQUESTING CONGRESS TO ADOPT LEGISLATION PROVIDING FOR SALES AND USE TAX FAIRNESS AMONG ALL RETAIL MERCHANTS

There was no public input on the resolution.

Motion:

Motion was made by Wever and seconded by Lewis to approve Resolution No. 2000-04. Upon roll call, motion carried 5-0, as follows

Lewis Aye

Wever Aye

Johnston Aye

Brayton Aye

Staib Aye

Good Neighbor Trail - Establishment of Planning Sub-Committee

Approval of Parks & Recreation Board sub-committee appointments for Good Neighbor Trail Head and support facilities. [from 2/22/00 mtg]

Motion:

Motion was made by Lewis and seconded by Johnston to approve the appointments for the Good Neighbor Trail Head, as follows:

Richard Lewis City Council

Richard Gant P&R Board Member

Sharon LaPlante Hernando County Florida Native Plant Society

Eugene Kelly SWFWMD

Jan Knowles Hernando Historical Museum Association

Lynne Bolton Division of Forestry

Dennis Dix MPO Staff person

Ron Caldi County Engineering Dept. Representative

Sherry Magbee Keep Hernando Beautiful

Lara Bradburn Downtown Development Corporation, Inc.

Vince Morris Beautification Board Member

Dave Wilson Audubon Society

Motion carried 5-0.

Alternate Routing of Waste Water System Interconnection

Consideration of relocating line within Bud McKethan and Tom Varn Park (revisions to proposed amendment to Civil-Tech Consulting Engineers' agreement) and increased costs.

Director of Public Works Pierce reported that there are periodic leaks in the effluent line and he has been working with Civil-Tech for an alternate design route around the golf course at fees acceptable to USDA. Pierce added that this amendment shows reduced fees but Civil-Tech is requiring an \$4,000 additional design purchase order. If Council approves this amendment 3A, then the previously approved amendment 3 must be formally canceled. Discussion ensued on whether the contractor, Centerline Construction Company, will submit fees for the work which will be acceptable to USDA. If the fees are not accepted, Pierce offered the option of bidding it out and having City staff supervise the construction.

Motion:

Motion was made by Lewis and seconded by Johnston to approve amendment 3a and cancel amendment 3.

Council Member Johnston requested that staff check on the Florida Statute cite on Attachment A, which he did not feel was correct.

Director of Parks and Recreation Pugh requested that when the pumps are removed at the Quarry lift station, that plenty of clean fill dirt be added.

Motion carried 5-0.

Jerome Brown Community Center - Facility Lease Agreement

Consideration of proposed Facility Lease Agreement and fee schedule. [from 2/22/00 mtg]

Council Member Johnston requested that the agreement language of "Weekends & Holidays" and "Friday - Sunday & Holidays" be worded the same for consistency.

Council Member Johnston pointed out a typographic error in the word "canceled" in two places in the documents. *[It was subsequently determined that the word is spelled correctly.]*

Council Member Johnston called attention to the fact that the Facility Lease Agreement did not contain a sentence that says "Kitchen to be used - yes or no", which Anderson indicated that he would add.

Council Member Johnston brought up for discussion the Deposit language on the Fees and Service Charges. It was his understanding that the language would reflect that the security deposit, the minimum amount that would be paid, would be to hold the facility and at some point down the road the balance would be due. City Manager Anderson indicated that it would be changed to reflect: "Security Deposit is payable upon signing of the agreement. The balance is due 10

days prior to the event."

Under the Lease Terms, Item 3, Mayor Staib requested that "12:00 a.m." reflect "12:00 a.m. (midnight)".

Motion:

Motion was made by Johnston and seconded by Lewis to approve the Facility Use Agreement with noted changes. Motion carried 4-1, with Brayton voting in opposition.

Interlocal Agreement - PHCC/Well Field

Easement for wells, future storage tank, and related equipment.

Director of Public Works Pierce stated that Exhibit A was not attached, however, he indicated that it is a standard site plan.

City Manager Anderson related that Len Tria, Coastal Engineering Associates, Inc., indicated that PHCC will approve it in this format. He added that the grant with WRWSA is contingent on the City's ability to show that it has the authority to put the facilities at this location.

Motion:

Motion was made by Lewis and seconded by Wever to approve the interlocal agreement.

In response to Council Member Johnston's question, Anderson indicated that Exhibit A is similar to the one presented by Len Tria at a prior meeting. City Clerk Phillips distributed copies of the map for Council's review.

Council discussed the access road to the Well Field to be constructed.

Vice Mayor Brayton expressed his opinion that Council could conceptually approve the agreement but should not formally approve the document without the proper exhibit attached. Motion and second were amended accordingly.

City Manager Anderson indicated that PHCC basically just needs to know that Council agrees with the agreement as written.

Motion carried 5-0 to conceptually approve the agreement pending presentation of complete agreement.

Public Works Projects

Status report.

A) Phase I - Cobb Road WRF

B) Phase II - Interconnect project

C) SR 50/US 41 relocation

Director of Public Works Pierce advised that School Street has been paved and driveways are currently being installed. He added that he anticipates that the School Street plant will come off line next week.

Pierce informed Council that staff is working with Coastal Engineering Associates, Inc., on a metering issue but that the new Cobb Road WRF is working fine.

The Director of Public Works reported that there are still numerous disagreements regarding the FDOT project and that the Disputes Review Board should make a decision about the bypass pumping next week.

Pierce advised that the JBCC parking lot project is progressing.

He informed Council that utilities have not been moved on the Jasmine Drive line project yet.

Pierce reported that the street paving project is ongoing and should be finished shortly.

CITIZEN'S INPUT

There was no citizen's input.

ITEMS BY COUNCIL MEMBERS

E.E. WEVER, JR., COUNCIL MEMBER

Cobb Road WWTP Dedication Ceremony

Council Member Wever requested that staff prepare a letter to Encore Construction, the company that constructed the WWTP facility, commending them for the fine work they did, their cooperation with City staff and for the money they saved us. He further requested that a letter be sent to Coastal Engineering Associates, Inc., for donating money towards the March 1st dedication Ceremony.

Tom Varn Stadium

Council Member Wever advised that this will be the third year in a row that he has requested that additional work be done on the steps in Tom Varn Stadium. He felt they currently represent a danger which could result in a law suit.

Charter Review Process

Council Member Wever questioned if at this point, Council needs to reappoint the Charter Review Committee to the Charter Revision Committee. City Clerk Phillips responded that the Committee would be presenting their recommendations at the March 20th Council Meeting and reappointment would be made at that time.

Annexation of right-of-ways

In response to Council Member Wever's question of the status of annexation of right-of-ways, Community Director Geiger stated that he has not heard from the County on that issue. He added that he did receive a letter from FDOT which did not commit them in any participation. He stated that at this time, staff is researching whether to bring forth an ordinance or an interlocal agreement. He pointed out that law enforcement agencies would need to be included as jurisdictional issues need to be addressed.

Brooksville Nursing Manor - BFI

Council Member Wever informed Council that at a recent SLM meeting, he sat next to a representative of Waste Management who told him that the City had the legal right to do what was done. City Manager Anderson stated that the Brooksville Nursing Manor manager has indicated that he intends to cancel their BFI contract, so the issue should be resolved shortly.

Dumpsters

Council Member Wever questioned why in some locations, businesses have two dumpsters. City Manager Anderson stated that one is usually a private

recycling company that recycles cardboard which is allowed under State recycling legislation and which service the City does not provide.

Expansion of Water - U.S. 41

Council Member Wever referred to a February 22nd memo from the City Manager regarding expansion of the City's water system down U.S. 41. He stated that he will contact the WRWSA and see if there is a possibility of their involvement similar to what was done in Citrus County. He explained that the WRWSA financed wells and a distribution system with the WRWSA owning the wells and the County buying the distribution system. He stated that if there is no objection from Council, he will pursue that. Regarding the WRWSA upcoming grant cycle, Wever interjected that it is for the development of new water supply and not distribution but he would check on that further.

50/50A Corridor Plan

Council Member Wever requested that Council hold a Special Meeting to review plans for the 50/50A Corridor Plan. He stated that the meeting needs to include property owners so a final decision can be made regarding the frontage road. It should also include details such as cost, method, and what actions Council needs to take to finalize the road and drainage concept. He went on to advise that Coastal Engineering has suggested that staff prepare a list of actions needed to be taken by the City to be presented to the property owners. He suggested that Coastal may submit a list as well. Wever went on to state that the meeting should consider Lockhart and North Avenues as alternates, and a final decision should be made at that time on whether the City would consider condemning and buying property if it is not offered to the City.

Council Member Wever requested that anything that is presented to the City or the County on this area be copied to the Council so they are aware of what is going on. He stated that the City Attorney would need to research special assessments and the possibility of condemnation.

Council Member Wever suggested that staff look at a plan in that area similar to the Wesleyan Village water line area wherein a rebate of fees is offered to encourage development. He went on to suggest that staff consider drawing a master plan of the area and not go to a side street design.

The Special Meeting date was set for April 10th at 7:00 p.m. Mr. Wever stated that he would make a list of concerns and requested that each Council Member do the same. He further recommended that staff request that the property owners do the same. He suggested that the lists be compiled and specifically put on the agenda to be discussed.

Fire Truck Financing

Council Member Wever referred to the recent request for financing for the new fire truck and suggested that the City pledge franchise fees as security for the financing as it looks like the legislature may put a stop to that. City Manager Anderson stated that staff is considering the

feasibility of using City funds rather than borrowing based on interest rates quoted, adding that he would distribute that information to Council.

Utility Rate Analysis

In response to Council Member Wever's question, City Manager Anderson advised that he would have a report at the next Council meeting regarding utility rate analysis for the utility department based upon the same methodology previously used by the City's consultant.

Tax on Water

Council Member Wever referred to a March 1st memo from the City Manager transmitting an article from the American Water Works Association regarding a tax on water for everglades renewal. Although the tax is not proposed in this SWFWMD district, if approved, the same thing could be done in this area. He agreed with City Manager Anderson in opposing that tax and added that he would discuss it at the next WRWSA meeting.

MARY A. STAIB, MAYOR

Griffen Prairie

Mayor Staib questioned whether a portion of the 60 acres owned by the City known as Griffen Prairie had been sold to FDOT thereby reducing the amount owned. City Manager Anderson confirmed that 1 or 2 acres had been sold as an easement.

Dr. Raju Appreciation Reception

Mayor Staib invited Council to attend an appreciation reception for Dr. Raju on March 14th at 9:00 a.m. She stated that a resolution would be presented to him by the hospital board for his dedication.

She added that Dr. Raju has been instrumental in trying to get Brooksville Regional Hospital out of bankruptcy.

ROBERT B. BATTISTA, CITY ATTORNEY

50/50A Frontage Road

City Attorney Battista advised that his initial research of a special assessment relating to the frontage road will require the County's cooperation to assess residents in their jurisdiction. He advised that they need to be consulted in the early stages of the development of the road, rather than at the end. Council Member Johnston expressed his agreement and felt that the County should be included at the Special Meeting on April 10th.

In response to Council Member Wever's question, City Attorney Battista advised that the County and City had never entered into an interlocal agreement to agree to the frontage road concept.

RICHARD E. ANDERSON, CITY MANAGER

Utility expansion

City Manager Anderson related that there is a request from residents on Redbud Lane near Wesleyan Village who are interested in connecting to the City's utility line. He offered that the total cost for extending that service would be approximately \$7,500, using \$400.00 as an estimated impact fee. With only 5 or 6 residents interested in connecting, there would be a \$4,000 to \$5,000 cost to the City to run the lines.

In response to Vice Mayor Brayton's question, Anderson stated that the current connection fee is about \$200.00 - \$300.00 and the impact fee is about \$400.00. Vice Mayor Brayton expressed his opinion that the City would be able to make up the money expended by having additional customers and the possibility of future customers in the area.

City Manager Anderson advised that there is a similar request on Mondon Hill Road. He stated that he would bring back a proposed policy to Council at the next meeting.

Council Member Lewis stated that the City would need to get a permit from the County to go through their right-of-way.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:04 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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REGULAR COUNCIL MEETING

MARCH 20, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; Terry Chapman, Police Department; B.J. Coryer, Finance Department; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Karen M. Phillips, CMC, Director of Administration; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; William Smith. A representative of the St. Petersburg Times was also present.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA*

City Council Minutes:

February 22, 2000 - Regular Council Meeting

March 6, 2000 - Regular Council Meeting

Cheyenne Landfill Closure

Approval to reimburse 50% of County's cost for preparing preliminary assessment report and related work. City share, estimated at \$7,000.000, available in 001-009-510-99.00 (General Fund Reserves).

Croom Road Plant

Declare Croom Road Plant equipment surplus and authorize sale of same.

Donto Plaza - Modified Final Plat

Subdivider is requesting City Council consideration of deferring final plat to the April 3, 2000 meeting to allow balance of required items to be completed. NOTE: No further development permits will be issued for this property until the final plat is approved by the City and recorded with the Clerk of Circuit Court in Hernando County.

City Manager Anderson advised that Item 2, Cheyenne Landfill Closure should reflect a corrected figure of \$11,000.

Vice Mayor Brayton requested that Item 4, Donto Plaza, be moved to the regular agenda.

In response to Council Member Wever's question about the Croom Road Plant, Anderson stated that this item is to get Council's approval to declare some of the equipment as surplus. The actual plan for disposal will be brought back to Council.

Motion:

Motion was made by Brayton and seconded by Johnson to approve the balance of the March 20, 2000 Consent

Agenda. Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Proclamation - Juvenile Justice Week

Proclaiming the week of March 19 - 25, 2000 as Juvenile Justice Week.

Mayor Staib read the proclamation, which was accepted by Harry Hill and Roberta Kelly, Juvenile Justice Council.

REGULAR AGENDA

Donto Plaza - Modified Final Plat

Vice Mayor Brayton questioned when this would be finalized, which Council discussed.

Community Development Director Geiger advised that they are getting closer to completion with some items remaining to be addressed. He did acknowledge that before staff can recommend full approval, those items will need to be completed.

Deadline dates of April 3rd and May 1st were discussed, to which the contractor's representatives voiced their preference of May 1st.

At the request of Mayor Staib, Geiger went over the items that were remaining to be completed, as follows:

1. Accurate "AS Built" drawings (now completed)
2. Updated Utility Service Agreement
3. Completion of line testing and inspections
 - Remove backflow device and reconnect to City line in SR 50 R/W
5. Property Owner's Association/Agreement (now completed)
6. Maintenance Bond in the amount of \$11,913.50 (20% of total public improvement cost)

Don Siciliano Jr. stated that they do not have a problem with most of the items with the exception of the maintenance bond. He explained that getting another bond issued on the same project prior to getting one terminated is very difficult but that he is working with the bonding agent. Geiger advised that at a staff level, there is a concern that the current performance bond on file was written specifically for Phase II underground utilities.

Siciliano stated that the detector checks on S.R. 50 would be done under the FDOT state contract. Director of Public Works Pierce advised that he has not seen the wording of the state contract and it is his opinion that it is the responsibility of the owner to move the double detector checks.

Motion:

Motion was made by Lewis and seconded by Wever to agree to the May 1st extension with the condition that Council stipulate that no additional development permits be issued for the property until the final plat is approved by the City and recorded in the Hernando County Clerk's office.

Motion and second were amended to modify the date to April 27th to allow the information to be included in the May 1st Council packet. Motion carried 4-1 with Brayton voting in opposition.

Resolution No. 2000-05 - Declare Election Results

Declaration of election results from City referendum question on March 14, 2000 ballot.

City Clerk Phillips read Resolution No. 2000-05 by headnote only, as follows:

A RESOLUTION OFFICIALLY DECLARING THE RESULTS OF THE CITY OF BROOKSVILLE TAX EXEMPTION FOR ECONOMIC DEVELOPMENT REFERENDUM QUESTION ON THE MARCH 14, 2000 PRESIDENTIAL PREFERENCE PRIMARY BALLOT.

As a result of the election, the tax exemption issue passed and it was pointed out that the support paperwork would be brought back to Council for approval before implementation.

Motion:

Motion was made by Johnston and seconded by Lewis to approve Resolution No. 2000-05.

Council Member Wever pointed out that the 2nd page of the elections results was not signed by the Judge. City Attorney Battista agreed with City Clerk Phillips in that it was a technicality but acknowledged that the 2nd page should be signed.

Upon roll call, motion carried 5-0, as follows:

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

Resolution No. 2000-06 - Sale of Permitted Water Rights

Consideration of resolution opposing sale of permitted water rights. The Legislature has found that water is a natural resource that is essential to the economic health of the state and should remain as a publicly owned and controlled resource.

City Clerk Phillips read Resolution No. 2000-06 by headnote only, as follows:

RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA, OPPOSING THE CREATION OF WATER MARKETS THROUGH SALE OF PERMITTED WATER RIGHTS WHICH WOULD CONVEY OWNERSHIP TO ANOTHER USER

Motion:

Motion was made by Brayton and seconded by Lewis to approve Resolution No. 2000-06. Upon roll call, motion carried 5-0, as follows:

Lewis Aye

Wever Aye

Johnston Aye

Brayton Aye

Staib Aye

Charter Review/Revision Process

Review recommendations by Charter Review Committee and appoint Charter Revision Committee.

Robert Buckner, Charter Review Chairman, informed Council that they had a good Charter Review Committee which reviewed the Charter in depth. He added that their committee was charged with making any recommendations for additions or revisions, some of which are ministerial and some which would require a ballot referendum.

Motion:

Motion was made by Brayton and seconded by Johnston to proceed with the revisions based on the recommendations of the Committee and appoint the same committee to serve as the Charter Revision Committee. Motion carried 5-0.

Vice Mayor Brayton pointed out that the Charter Revision Committee should only have to review the changes that would necessitate a referendum. Chairman Buckner added that there may be some that, if they cannot be changed ministerially, the committee may opt not to make them a ballot question.

Reserve Firefighters

Consideration of establishing Reserve Classification I, II and III, increasing requirements and adjusting pay rates for Reserve Firefighters II and III from a flat \$10.00 to Step A for Firefighter I hourly rate (currently \$6.71). [deferred from 2/7/00 mtg]

City Manager Anderson confirmed Vice Mayor Brayton's and Council Member Wever's comment that the word "unpaid" should not be reflected on page 2, paragraph 2.

Motion:

Motion was made by Brayton and seconded by Wever to approve the establishment of the Reserve Classification I, II and III, increasing requirements and adjusting pay rates for Reserve Firefighters II and III from a flat \$10.00 to Step A for Firefighter I hourly rate (currently \$6.71) Motion carried 5-0.

Water System Line Extension

Consideration of extending service.

- a. Rose Bud Lane (from end of existing 12" water main extension to end of Rose Bud Lane)
- b. Markham Lane (from Mondon Hill Road to end of Markham Lane)
- c. S. Broad Street (from Oliver to Powell)

Director of Public Works Pierce began by addressing the request for water extension on Markham Lane. He explained that the plan would be to extend the existing line on Mondon Hill Road and run a two inch line down Markham Lane. He added that staff would not be able to begin the project until September 30th. He addressed Mayor Staib's remark by agreeing that another fire hydrant may be needed and added that used ones may be utilized from the S.R. 50 project. Council Member Wever questioned the approximate cost of City labor and equipment for the project. Director of Public Works Pierce responded that it would be approximately \$8,000 in labor with another \$4,000 for equipment. He added, however, that if it was contracted out it would probably be \$45,000 compared to approximately \$30,000 for the City to do it. Pierce expressed his opinion that this water extension would provide better service to existing customers.

Motion:

Motion was made by Johnston and seconded by Brayton to authorize staff to proceed with whatever necessary to develop service to Markham Lane (from Mondon Hill Road to end of Markham Lane). Motion carried 5-0.

Regarding the request on Redbud Lane, Pierce advised that Wesleyan Village extends partly up Redbud Lane. He stated that for several years, there have been a number of residents wanting City water service in that area. He added that there is the potential to serve 11 existing homes and 6 vacant lots. He went on to state that approximately \$14,000 would be added for labor and equipment which he felt could be rapidly recovered fairly quickly as impact fees would be due to the City. Pierce agreed that a fire hydrant could be added at the end of the line.

Motion:

Motion was made by Brayton and seconded by Lewis to approve the Redbud Lane project. Motion carried 5-0.

Motion:

Motion was made by Brayton and seconded by Lewis to continue to seek alternatives for funding the extension of water service from Oliver to Powell.

City Manager Anderson stated that whether or not it would be a 6 inch or 12 inch line would have to be brought back to Council.

Director of Public Works Pierce requested Council's authorization to go out for an RFP for design for area 1. He added that funding could be included in the design contract.

Council Member Wever advised that the Withlacoochee Regional Water Supply Authority will consider this for a possible grant for this year. He added that the application must be submitted before June 30th. He felt that the City should look at sewer service in this area as well.

Motion carried 5-0.

Motion:

Motion was made by Lewis and seconded by Wever to authorize the RFP for area #1 to include language for a request for funding. Motion and second to include that built-in funding options will be included. Motion carried 5-0.

Council Member Wever suggested that the developer in the area be notified of this process.

Appointment of Board Member

Consideration of appointing one position (alternate) to the Brooksville Housing Authority.

Motion:

Motion was made by Brayton and seconded by Johnston to appoint Vearlean Langley as an alternate to the Brooksville Housing Authority to fill an unexpired four year term of office through May 31, 2003. Motion carried 5-0.

Interlocal Agreement - PHCC/Well Field

Easement for wells, future storage tank, and related equipment. (From 3/6/00 meeting)

Director of Public Works Pierce advised that if Council approves the agreement, it will be presented to PHCC.

Motion:

Motion was made by Brayton and seconded by Lewis to approve the PHCC Well Field Interlocal Agreement. Motion

carried 5-0.

CDBG Citizen's Advisory Task Force

Citizen's Advisory Task Force needs to be reappointed in order to apply for CDBG Grant.

Motion:

Motion was made by Brayton and seconded by Wever to appoint the 5 proposed members and one alternate, Marianne Roth. Motion carried 5-0.

Group Long Term and Short Term Disability

Approval to request proposals.

City Manager Anderson explained that this request would be to include group long term and short term disability in the insurance benefits RFP that will be advertised for proposals shortly.

Motion:

Motion was made by Brayton and seconded by Lewis to authorize including group long term and short term disability, in the next RFP for insurance coverage. Motion carried 5-0.

Community Development

Status report.

- FDOT Landscape Grant
- Evaluation and Appraisal Report
- CDBG Grant Application
- Good Neighbor Trail
- SR 50/50A Frontage Road

FDOT Landscape Grant

Community Development Director Geiger updated Council on the FDOT landscaping grant by stating that the County has opted out of utilizing their portion of the grant funding due to having to provide maintenance after the fact. He advised that it would mean that the City would have a chance for all of the funding available; approximately \$169,000. He added that a letter of interest has been submitted to FDOT. He stated that the total project may include landscaping on U.S. 41 at VFW Road into town and all of the truck route. He acknowledged that a lot of the area will not have room for landscaping and a lot of the area will be in the unincorporated area. He advised that they are waiting on a JPA Agreement with FDOT. He stated that the decision will need to be made on the level of the landscaping project; i.e. trees only, that must only be maintained for one year, or a complete landscaping project, that must continuously be maintained. An architect would be hired to do design work, not to exceed 10% to put the landscaping in. He added that he hopes to have the JPA's to Council shortly for approval.

Evaluation and Appraisal Report

Geiger reported that the EAR has been returned from CRA and is now being reviewed by staff. He advised that he hopes to bring a draft to Council for the April 17th Council meeting.

CDBG Grant Application

The Community Development Director stated that staff was working on points for the CDBG Grant application including hiring employees through the WAGES Program, researching the utilization of loan pools and TIF funding.

Good Neighbor Trail

Reporting on the Good Neighbor Trail, Geiger advised that staff would be setting up an organizational meeting shortly to implement the management plan.

SR 50/50A Frontage Road

Community Development Director Geiger informed Council that meetings have been scheduled with property owners along the proposed frontage road route and both staff and the owners were working on the list for the April 10th special meeting. Vice Mayor Brayton pointed out that the County must be involved for this project to be successful, to which Geiger advised that the County has been invited to participate in the special meeting. He added that City staff will be meeting with the County before that time to discuss details. Council Member Wever offered to meet with Commission Chairman Sullivan as well.

Enterprise Zone

Geiger stated that staff is meeting with the Economic Development Commission on developing an enterprise zone to establish low and middle income requirements, as well as commercial businesses that would benefit from that designation.

Ad Valorem Tax Exemption

The Community Development Director stated that the next step would be development of the program. He added that he is in the process of getting information from other cities and would bring back the item to Council shortly for adoption of policies and procedures.

CITIZEN'S INPUT

Board Appointment

Anna Liisa Covell thanked the Mayor and Council for appointing her to the Charter Review Committee and now the Charter Revision Committee and also to the CDBG Citizen's Advisory Task Force and added that she thinks that citizen's involvement is important.

ITEMS BY COUNCIL MEMBER

JOSEPH E. JOHNSTON, III, COUNCIL MEMBER

Council Member Johnston thanked all citizen's who came out to vote in the presidential primary held March 14th.

E.E. WEVER, JR., COUNCIL MEMBER

Brooksville Nursing Manor/Florida Power

Council Member Wever questioned the status of Florida Power owing a rebate on franchise fees to Brooksville Nursing Manor, which Community Development Director Geiger reported had already been reimbursed by Florida Power to the nursing home to their satisfaction. City Attorney Battista responded to Council Member Wever's question by stating that there is no legal liability to the City on this.

Legislative Bill - Municipal Revenue Sharing

Council Member Wever suggested that the City send a letter in support of the proposed legislation on Municipal Revenue Sharing.

Legislative Bill - Solid Waste Management Services

Council Member Wever called attention to the Solid Waste Management Service bill, which he felt would give the commercial enterprises leverage over municipalities that are already furnishing solid waste service. He requested that the City send a letter in opposition to that legislation.

Transportation Funding Legislation

Council Member Wever informed Council that the City should support the proposed transportation funding legislation which may allow grant money for building the frontage road due to fact that it takes traffic off of S.R. 50/50A. He added that if the legislation passes, the City should pursue utilizing it.

FDOT project funding

Council Member Wever reported that in an effort to try to bring the Olympics to the Tampa Bay area, with the possibility of a wild water event in Hernando County, FDOT project funding may be used on improvements to I-4 and I-75 which may take the money away from other projects previously committed to.

Everglades Restoration Tax

Council Member Wever advised that at their recent SLM meeting, it was reported that the everglades restoration tax may not be limited to the Okeechobee area, but may extend to Central Florida.

SLM Mini-Conference

Council Member Wever advised that the information on the SLM mini-conference in May is available and he would ensure that Council received a copy.

Heart League Meeting

Council Member Wever reported that the April 20th Heart League meeting will be held in Brooksville. He advised that the program would be from Len Tria, who will speak on the Water Supply Authority and the grant program available through them.

Water supply shortage

Council Member Wever questioned whether the City should send a notice to its customers concerning water conservation during this dry period. Director of Public Works Pierce advised that the City follows the regulations imposed by SWFWMD and he would contact them to find out their current policy and prepare a press release accordingly.

Pierce advised that an item on the use of water for construction purposes should be brought back to Council shortly. City Manager Anderson added that the item will include consideration of a differential rate to discourage consumption. Council Member Wever stated that the item should include changing the water rate schedule.

Potential Retention sites

Council Member Wever questioned if any consideration had been given to using the School Street Plant site and Griffen Prairie for ponding and storage of water. City Manager Anderson stated that staff has discussed that periodically and has relayed to the County that both sites are a possibility if Council desires.

Lights in Tom Varn Park

In response to Council Member Wever's question regarding the status of moving the lights from the basket ball courts to the 2nd adult softball field, Director of Parks and Recreation Pugh advised that it is being worked on by the City and Withlacoochee Regional Electric Company.

Cobb Road

Council Member Wever requested that Council Member and MPO representative Johnston check on why the MPO has been saying that Cobb Road needs to be up to FDOT truck standards when he felt that it was in better shape than many state roads.

Budget Amendments

Council Member Wever stated that when the Council adopted the budget, an ordinance was adopted. He expressed his opinion that any time that is changed, the City should adopt an ordinance to amend the budget, as done by Hernando County.

City Attorney Battista advised that the County has a more in-depth, definitive procedure, which is different than the City's process. Council Member Wever stated that he agrees with the County's procedure. City Attorney Battista stated that that would be a discretion of the Council.

Council Member Wever called attention to the reserve figure that he felt that the City keeps dipping into and reiterated that each time the figure changes, he felt it should be by ordinance.

City Manager Anderson stated that the County operates under old State Statutes and the State has a fairly archaic system among states, which was passed down to Counties. He added that it has only been in the last 10 - 15 years that Counties have even had any flexibility at all with their budgets.

City Attorney Battista called attention to the fact that the County changes their budget through resolutions, which shows that the County is slack in that they do not go through the ordinance procedure, which requires advertising.

MARY A. STAIB, MAYOR

Sidewalk repair

Mayor Staib called attention to the monthly reports of Public Works, Street's Division, wherein it is listed that there has been no sidewalk repair in the City. Director of Public Works Pierce advised that numerous repairs are done to sidewalks when damaged by utility work but the work orders may not have been coded properly to reflect that.

Brick Streets

In response to Mayor Staib's question, Pierce advised that City crews still plan to work on the brick restoration project when time allows. Mayor Staib stated that it was her original goal that one brick street a year be restored.

Chamber of Commerce Legislative Trip

Mayor Staib reported on the recent Chamber of Commerce legislative trip that she and City Clerk Phillips made to Tallahassee.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:40 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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SPECIAL COUNCIL MEETING

APRIL 10, 2000 7:00 P.M.

Brooksville City Council met in Special session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; Bill Geiger, Community Development Director; Karen M. Phillips, CMC, Director of Administration; Emory Pierce, P.E., Director of Public Works; and Ron Woods, Police Division.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

PUBLIC HEARING

CDBG Commercial and Neighborhood - Grant Applications

Review of proposed neighborhood and commercial projects and consideration of any recommendations made at the CDBG Citizen's Advisory Committee meeting April 10, 2000 and any public comments made at the Fair Housing Meeting, April 10, 2000.

Mark Brewer, Angie Brewer and Associates, stated that the purpose of this public hearing is to let the citizens know that the City intends to apply grant funding for Commercial Revitalization, Housing Rehabilitation or Neighborhood Revitalization.

Council Member Lewis stated that he would like to see the City apply for the Commercial Revitalization due to the importance of upgrading the infrastructure in the downtown area.

Council Member Johnston stated that Council in the past has chosen not to get involved in the housing rehabilitation. He agreed that the water and sewer lines and infrastructure was more important to focus on at this point and would support applying for the commercial or the neighborhood categories.

Lara Bradburn, Downtown Development Corporation, advised that they had been working with Brewer and Associations and with staff in an effort to concentrate on the points leverage needed for the applications. She added that there is still \$500,000 in the State Senate budget and urged City Council to write a letter of support for that funding. She suggested that Governor Bush be contacted by E-mail, write him, call him or visit him to encourage his support of the funding. She further suggested that Council contact House of Representative President John Thrasher and Senate President Toni Jennings.

There was no further citizen's input.

Mr. Brewer stated that they will begin compiling the formal application, a draft of which will be provided to Council before the Second Public Hearing, scheduled for May 1, 2000. He added that there will be another CDBG Citizen's Advisory Task Force meeting before that Council meeting as well.

City Clerk Phillips advised that any procurement or CDBG policy changes that are necessary will be brought forward to Council at their next Council meeting.

Motion:

Motion was made by Lewis and seconded by Wever to proceed with preparation of the Commercial and Neighborhood CDBG applications. Motion carried 5-0.

S.R. 50/50A Corridor Plan (Frontage Road) and related infrastructure

Review of proposed plans and comments by area property owners.

Cliff Manuel, Coastal Engineering Associates, Inc. stated that the purpose of this meeting is to obtain the intent of Council on how they would like to proceed with this project.

Mr. Manuel addressed the cost allocations for the proposed road on Jefferson Street, which were separated from the costs of the frontage road on S.R. 50. The costs were also further separated by categories such as general construction, road way construction, water and wastewater construction, and land acquisition. He recommended that beyond these costs, that Council should consider a contingency budget as these are preliminary cost estimates based on preliminary design and not final design.

Mr. Manuel referred to the proposed lift station that will provide service to the Cobb Road Treatment Plant, which is included in the construction cost estimates.

Mr. Manuel advised that Coastal and staff have met with the property owners and felt that they are willing to work with the City. He reminded Council that the frontage road concept will only be successful if all needed property is available and Council may need to commit to right-of-way acquisition for the frontage road system. He recommended that in an effort to secure the right-of-way, that each property owner be asked to sign a contract with the City for right-of-way provisions.

Tom Weer, Pastor of Grace Tabernacle Independent Baptist Church, represented the Churches' position by reading a statement in opposition to the City's proposed frontage road and infrastructure plan. The church requested that the City consider another location for the project.

Don Sciliano, Donto Construction, advised that his frontage road segment had already been put in, which includes the needed water and sewer. He stated that he would like to see the complete frontage road go in but voiced his opposition to being asked for more property to redo his portion of the frontage road. In response to Council Member Lewis' question, Director of Public Works advised that modifications to the Donto property would include a change in the road angle from a traffic standpoint.

Council Member Lewis voiced his support of the frontage road and advised that many property owners are in support of the concept. He felt that an agreement can be reached between all property owners and the City for the right-of-way. He added that this road will benefit all property owners and will increase the value of each property.

Gail Carver Brooks stated that while she does not have a problem with the road coming through her property, she does not want to be assessed for putting the utilities in should she donate the property. She stated that at her meeting with staff, it was suggested that a lien could be put against her property, which she stated she definitely opposed. She suggested that the road be brought back south. She also expressed concern that her green belt designation may be threatened by the currently proposed route.

Council Member Brayton questioned if Council is willing to enter into proceedings to take the church property. He stated that if not, the route of the road including the church and the 50-50A transfer should not be considered anymore at this point. He offered his opinion that he would be opposed to offering to buy the property because it would mean that the City better be prepared to buy all needed right-of-way.

Council Member Brayton and Council Member Johnston stated that the County's cooperation on this project needs to be addressed and questioned their position on same. Council Member Lewis felt that Council should make a definite decision before going before the County Commission. He added that he is favor of taking the land from the church.

Motion:

Motion was made by Lewis and seconded by Johnston to take the property from the church.

Council Member Wever stated that he is ready to approve the City putting \$250,000 into the purchase of property needed for the Providence Boulevard frontage road.

Council Member Lewis stated that there are several options that can be offered to the property owners such as if the owners are willing to donate the property, a credit can be given on the assessed value or a credit towards future utility impact fees.

Motion carried 5-0.

Motion:

Motion was made by Wever and seconded by Lewis that the City commit investing \$200,000 in the acquisition of all the right-of-way necessary to complete Providence, either through friendly or unfriendly acquisition. Wever added that the \$200,000 would be a City investment in the project and not included in the cost that would be allocated back to the property owners.

City Attorney Battista offered his opinion that it is premature for the City to formally designate \$200,000 towards the project and would prefer that Council authorize those involved in the acquisition process to proceed individually with the negotiations. After negotiations, any costs to be incurred for right-of-way would come back to Council for approval. He added that he did not have a problem with Council agreeing by consensus that they would be willing to put \$200,000 towards the project.

In response to Council Member Johnston's question, Wever stated that the \$200,000 would include drainage easements as well as right-of-way acquisition. Council Member Johnston reiterated that the County's involvement needs to be considered, especially with eminent domain procedures.

City Manager Anderson recommended that staff come back to Council with a workable way to acquire the right-of-way for each of the parcels once Council has decided they want to proceed.

Mr. Manuel agreed with Mr. Battista in that a set figure should not be adopted due to the estimates only being based on current fair market value. He added that it would be nice to have flexibility for how the money is used, rather than specifically designated. He recommended that Council authorize that the project be pursued and that staff and the consultant should come back to Council for consideration on how the investment dollars will be used. Mr. Manuel stated that he would have a specific parcel map, the exact square footage of the parcels which may be used for eminent domain if necessary and each property owners opinion of what they want to accomplish.

City Attorney Battista stated that he could come back with quick take resolutions on each individual parcel. He added that appraisals will be needed to do that whether the land is donated or taken through eminent domain.

Motion and seconded were amended to include the words "...up to \$200,000 based on fair market appraisal for each parcel that is being acquired".

Council Member Brayton suggested leaving the dollar amount out and just stating "fair market value". Council Member Johnston questioned what Council was willing to budget for the necessary appraisals.

City Manager Anderson stated that his understanding from Council was that staff bring back how to put the right-of-way package together for the full road. How it is done is subject to addressing each individual parcel. If the County will be requested to enter into a interlocal agreement to condemn the property north of Lockhart, eminent domain for acquisition would be necessary. There are other parts of the road where the property owners are required at some point to give the City the right-of-way and it will not be necessary to purchase those. Discussions and possible incentives to

get them to do that at this time may need to be looked into. He recommended that staff come back to Council with a way to acquire the right-of-way needed for each parcel. He stated that he would prefer a broad direction to staff to come back with how to acquire the right-of-way and the costs involved in each parcel.

Director of Public Works Pierce advised that the City has Coastal Engineering under contract to provide surveying services that will give the exact legal description of each strip of property needed. The City can go out for an RFP for an independent appraisal for each parcel, which could come out of the mentioned \$200,000. If more than that amount is needed, it would be brought back to Council.

Motion and second were withdrawn.

Motion:

Motion was made by Wever and seconded by Lewis to authorize the City Attorney and the consultant to proceed with the acquisition process for the right-of-ways and drainage needed to complete the road known as Providence Boulevard.

John Regan, representing five acres along this route, stated that they are not willing to donate any land for water and sewer improvements. He added, however, that the land is for sale.

Neil Williams offered his opinion that should this frontage road be completed, there will be a large traffic bottleneck due to no left turn at Jefferson Street. He stated that he would prefer eliminating the entrance off of S.R. 50.

Tom Wever advised that this is the sixth meeting he has had with the City and at no time has any recommendations or suggestions been given to the Church on their involvement options nor have any of their concerns been addressed. He added that the Church has only been asked to donate property for a road that they have not asked for and then are being asked to pay for it.

City Clerk reiterated the motion as being to authorize the Attorney and consultants to proceed with the acquisition process for right-of-way and drainage easements needed to complete the road known as Providence Boulevard.

Motion carried 5-0.

In response to Council Member Wever's question, City Attorney Battista agreed that if this is to be presented to the County, assessment programs should be addressed as well. He suggested that rather than from a staff level at this point, that the Board of County Commissioners be approached from a Council standpoint and requested that they allow their staff to work with City staff in putting this package together.

Mr. Manuel called attention to parcel 23, which will need to come under the ownership of the City of Brooksville to build sewer improvements and a submersible pump station.

Motion:

Motion was made by Wever and seconded by Brayton to add that parcel to the authorization for acquisition. Motion carried 5-0.

Council Member Wever brought up Lockhart, previously thought of as a secondary option to Providence, and questioned Coastal's breakdown of the water/wastewater locations in that area, which Mr. Manuel proceeded to depict on his drawing. The planned water main on Providence would connect with the existing one on Lockhart.

In response to Mr. Wever's question, Pierce advised that the 6" water main is already extended at the post office, which is connected to the new line on the other side of S.R. 50. Mr. Manuel acknowledged that bringing the 6" line up to a 12" line is not included in their cost estimates, but should be done.

Motion:

Motion was made by Wever and seconded by Brayton to accept the recommended water and sewer service as outlined by the consultant for Providence Boulevard with the connection to the 6" line coming up the post office road. Motion carried 5-0.

Council Member Wever suggested that the City offer to do the up front construction financing with the pay out being in the form of assessments and a pay out financing of the assessment portion under the maximum time allowed under the state statute. City Attorney Battista stated that Council could give direction that it be an assessment program and staff could approach the County in setting up the methodology of how participation by both entities would proceed.

Council Member Wever advised that he and the Director of Finance met with SunTrust and discussed the possibility of the financing of the construction of the project as well as a pay out/take out financing for the assessment program. SunTrust indicated that they would be agreeable to handling the projects as long as the City's commitments and actions are sufficient to guarantee the payment of the debts on it. Mr. Wever added that the interest expense on financing the construction would need to be added to the cost of the project.

Council Member Johnston expressed his opinion that the City should not put the entire cost burden of the frontage road onto the property owners. The City should be absorbing some of the costs. He went on to state that if there is going to be an assessment, it should not become due and payable until such time that the property is actually being developed. Mayor Staib, Vice Mayor Brayton and Council Member Lewis voiced their agreement. Council Member Wever agreed with the concept, but voiced concern that if the City has to finance, there is a payment time limit involved.

Council Member Wever stated that he would like to see the schedule showing property ownership, acreage, and valuations submitted previously by the Community Development Director, one column of what it would cost the property owners on a front footage basis and one column showing what it would be on a pro rated acreage basis.

Mr. Manuel requested direction from Council on the type of assessment program they would like to proceed with.

City Attorney Battista reiterated that an assessment program for the City should be run the same as the County program, for those properties located in County jurisdiction.

Mr. Manuel stated that that schedule that Mr. Wever is requesting would be the basis of an interlocal agreement with the County.

Motion:

Motion was made by Johnston and seconded by Brayton to authorize staff to proceed with negotiations for an interlocal agreement with Hernando County. Motion carried 5-0.

Paul Sullivan, County Commission Chairman, agreed that the entire concept should be brought before the Commission for consideration rather than a portion of the plan.

MARY A. STAIB, MAYOR

National Volunteer Week

Mayor Staib advised that April 9 - 16, 2000 is National Volunteer Week.

KAREN M. PHILLIPS, CMC, DIRECTOR OF ADMINISTRATION

Florida Releaf Tree Sale

City Clerk Phillips reminded Council that Saturday, April 15th is the Florida Releaf Tree Sale at Florida Power.

ADJOURNMENT

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

City Clerk

ATTEST:

Mayor

:jjb

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REGULAR COUNCIL MEETING

April 17, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Lee Huffstutler, Director of Finance; Karen M. Phillips, CMC, Director of Administration; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher, Police Chief. A representative of the St. Petersburg Times was also present (7:10 p.m.).

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA*

City Council Minutes:

April 3, 2000 - Regular Council Meeting

Civil Tech Engineering - Contract Amendment

Consideration of incurring cost of resident inspector services by \$8,470.00.

Motion:

Motion was made by Lewis and seconded by Wever to approve the April 17, 2000 Consent Agenda. Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Margaret Ghiotto Commercial Beautification Award

Recognition of improvements made to Whitehead Realty located at 270 N. Broad Street owned by Don Whitehead.

Mayor Staib and Beautification Board Vice Chairman Rials presented the award to Mr. and Mrs. Whitehead.

PUBLIC HEARING

Ordinance No. 610 - Fee Assessment on Fines

Amending ordinance relating to assessment of \$2.00 fee on violations for law enforcement training to adopt new Florida Statutes references. [First Reading 4/3/00]

City Clerk Phillips read Ordinance No. 610 by headnote only, as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, REPEALING AND RESTATING SECTION 1-19 OF THE CODE OF ORDINANCES TO ASSESS AN ADDITIONAL TWO

DOLLAR (\$2.00) COURT COST FOR VIOLATION OF STATE PENAL OR CRIMINAL STATUTES OR CONVICTION FOR VIOLATION OF MUNICIPAL ORDINANCES FOR CRIMINAL JUSTICE EDUCATION AND TRAINING.

There was no public input on the ordinance.

Motion:

Motion was made by Johnston and seconded by Lewis to approve Second and Final Reading of Ordinance No. 610. Upon roll call, motion carried 5-0, as follows:

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

REGULAR AGENDA

Charter Amendment process

Approval of Charter Revision Committee's final recommendations.

Motion:

Motion was made by Brayton and seconded by Lewis to authorize the City Attorney to draft the necessary ballot language.

In response to Council Member Johnston's question, City Clerk Phillips advised that those which could be changed ministerially would be brought back to Council as resolutions.

In response to Council Member Johnston's question regarding Section 3.02, Charter Revision Committee Chairman Buckner stated that there was discussion on whether "total membership" means all five or just who is present at the meeting. He added that it was consensus of the Committee that it be clarified to mean that all five should be present to have total membership. City Attorney Battista responded that it would be a ministerial change.

Motion carried 5-0.

Impact Golf - Quarry Golf Course

Consideration of requests to revise lease terms and conditions.

City Manager Anderson informed Council that a request has been received from Mr. Mallek of Impact Golf, that the City consider some amendments to his lease and it is being forwarded to Council for consideration.

Council discussed the specific request to sell beer and wine at the Quarry and it was decided to bring it back as a separate item at a later date.

Council Member Wever questioned the status of the moving of the racquet ball courts. It was pointed out that it is a project included in the FRDAP grant; the results of which have not been transmitted to the City as of this time.

Council Member Wever questioned the amount of money transferred from the Enterprise Fund to the General Fund for

the golf course after the loan was paid, which the Director of Finance stated he would have to look up but that he felt it was an substantial amount.

Council Member Lewis referenced the improvements requested and stated that while he did not have a problem with them, he would support reduced rent rather than free rent. He stressed that the improvements should be documented.

Mr. Mallek explained that he did not see a profit at the Quarry in 1999, but, in fact, incurred expenses totaling \$83,000, a portion of which included purchase of equipment.

As brought up by Mayor Staib, Mr. Mallek discussed one improvement which is the need for a new pro-shop and advised that he had obtained a quote of approximately \$200,000 to completely renovate the pink building. He added that he also has considered utilizing a modular building.

Council Member Johnston stated that he would support staff's recommendations on 50% of rental fees to be used on improvements.

Council Member Wever called attention to the fencing referenced as one improvement, which City Manager Anderson indicated that staff would bring back an overview of the fencing portion to include cost considerations.

Mr. Mallek discussed his request for improvements to the drainage/ irrigation system.

Council Member Wever suggested approving \$2500 for the cost for the City to install a sign as referenced. Vice Mayor Brayton expressed concern that the sign should not be installed until all the construction on U.S. 41 is complete.

Council Member Wever discussed the request for 50% of the rental fees to be used for improvements which he felt does not include maintenance and upkeep.

Motion:

Motion was made by Lewis to support Mr. Mallek's request for the items listed in the memorandum of April 13th from Mr. Pugh about requesting grant money, promoting golf outings, tournaments, golf instruction, fencing and elimination of the racquet ball courts and a 50% reduction in rent to be used for improvements to include repair of greens and sprinkler systems within said golf course.

Council discussed whether the 50% reduction would be given to him or would 50% of the current rent be used for improvements.

Council Member Lewis clarified his motion to reflect that 50% of the current rent be used for improvements and repairs. It was pointed out that it would be a reimbursement to Mr. Mallek for improvements for up to that 50% reduction.

Council Member Lewis restated his motion to approve the April 13th recommendation from Mr. Pugh requesting grant money, promoting golf outings, tournaments, golf instruction, fencing and the elimination of the racquet ball courts and a 50% of the rent to be applied towards improvements, capital and repair in the golf course. Motion was seconded by Vice Mayor Brayton.

It was discussed whether Council could make a motion that would affect next year's budget. Council Member Johnston pointed out that, according to the agenda, the necessary modifications would need to be made to the lease and brought back to Council for approval.

City Attorney Battista stated that he did not see a problem with the long range issue concerning the budget, but an addendum to the lease would be required.

Vice Mayor Brayton felt that this 50% reduction would be for a maximum 12 month situation. Council Member Wever offered his support that the City would do the repair of the irrigation system up to a cost of \$15,000.

Motion and seconded were withdrawn for further discussion.

The question of whether the golf course would eventually be found to be taxable by the property appraiser was discussed. City Attorney Battista cautioned Council to not disturb the escrow amount that was purposefully set aside, as required by the lease, for possible taxes. It was decided to leave that money set aside.

Motion:

Motion was made by Wever and seconded by Brayton to approve a moratorium of rent from April through September, 2000. Motion carried 5-0.

Economic Development Ad Valorem Exemption Implementation Policy

Consideration of draft resolution and guidelines.

Council Member Wever questioned if the City Attorney had reviewed the draft resolution which was unsigned. Battista responded that he did review it when he was given his Council packet.

Council Member Wever called attention to page 3 on the tax abatement guidelines and suggested that the words "...as required by Statute" be added so that the sentence reads "Tax on land value will not be abated as required by statute"

Lara Bradburn, representing the Downtown Development Corporation, stated that their organization informed Mr. Geiger, Mr. Anderson and Ms. Phillips that although the proposed tax break was not the preferred one, the DDC did agree to support the referendum question, wrote and produced a commercial to endorse the program and did go door to door to promote it. She stated that their opposition was to the 10 year time frame, which she felt was far above what they have found in most communities. She stated the result of the election was a 70% in favor. She stated that their opposition to the 10 years was conveyed to individuals and to groups that they spoke to. Ms. Bradburn stated that the DDC told people that they did not envision a 10 year time frame, but rather a three to five year time frame knowing that each application that came into the City would be reviewed on an individual basis by City Council.

Ms. Bradburn pointed out that the last line of the first paragraph in the tax abatement guidelines should read "City Council", rather than just "City". She expressed opposition to a sentence in paragraph number two which states that "City Council may, at its sole discretion, deviate from these guidelines from time to time..." She felt that consistency and continuity is important, and there should be no deviation from the guidelines.

Bradburn felt that the guidelines were generous and she did not feel was what the City voters voted for. She added that it was not what their organization represented to them. Based upon a ten year time frame, Bradburn gave an example that if a entity came in worth \$20 million, with a 8.0 millage rate multiplied by two years, this exemption would be costing the City taxpayers \$500,000 in taxes. She gave another example that a \$500,000 building at 8.0 mils for 10 years would result in \$40,000 in lost tax revenue. She encouraged Council not to approve this tonight but to have staff do further research on what other communities have done.

Ms. Bradburn reiterated that they support the tax exemption concept for the economic revitalization of this community but 10 years is not what the citizen's of the community voted for.

City Manager Anderson pointed out that the 6 to 10 year cycle proposed for discussion purposes is listed under maximum exemptions and Council would still make those determinations but target numbers had been compiled so that applicants and the general public would have an idea of what is available.

Ms. Bradburn cautioned that the guidelines should not be so flexible that client A gets one thing and client B does not.

Council Member Johnston pointed out that these are just guidelines, not a policy. Vice Mayor Brayton and Council Member Wever added that each would be handled on a case by case basis.

In discussing the 10 year term, Ms. Bradburn reiterated that that is not what was represented to the civic groups by the

DDC and that they could have just as easily offered their opposition to the ad valorem tax exemption issue rather than support it.

Council Member Lewis agreed that the 3 to 5 years would be preferable than the ten years. He added that he appreciates the support that the DDC gave this, to which Vice Mayor Brayton agreed. Council Member Lewis offered his support of more specific guidelines and felt that comparisons should be made to other cities and information obtained from the Florida League of Cities.

Motion:

Motion was made by Brayton and seconded by Lewis to not establish guidelines and handle each request on a case by case basis.

Council Member Johnston offered his agreement that ten years will be too much and added that Council has always been under the impression that each request would be reviewed on case by case basis.

City Manager Anderson stated that it would be brought back at the next Council meeting.

Lara Bradburn requested that the City bring back other Cities policies at the next meeting for discussion.

Motion failed 5-0.

Motion:

Motion was made by Wever and seconded by Johnston to approve the proposed guidelines with the amendment on page three "as required by Statute" and adding "Council" after the word "City". It was pointed out that the resolution needs to be brought back to Council for approval. Motion carried 5-0.

In response to Ms. Bradburn's question, Mayor Staib directed staff to research this with other communities and bring that back to Council at the next meeting as well.

Vehicles - Surplus/Disposal

Consideration of declaring certain vehicles surplus, authorize disposal and authorize City Manager to make arrangements for disposal.

Director of Public Works Pierce clarified that the old street sweeper mechanism should be declared surplus, not the vehicle.

In response to Council Member Wever's question regarding the possibility of offering the old fire truck to a volunteer Fire Department, Anderson stated that if they find anyone interested in the vehicle, it will be brought back to Council.

Motion:

Motion was made by Johnston and seconded by Brayton to declare certain vehicles surplus, authorize disposal and authorize City Manager to make arrangements for disposal, with the amendment to the street sweeper.

Motion carried 5-0.

CDBG Procurement Policy Revisions

Consideration of revised policy pursuant to Council's prior direction.

Motion:

Motion was made by Brayton and seconded by Johnston to approve the revisions. Motion carried 5-0.

In response to City Clerk Phillips' question on whether Council wanted to leave the minority business enterprise issue in the non CDBG selection policy, it was decided to leave it alone at this time. City Manager Anderson stated that it would be brought back at the appropriate time.

CITIZEN'S INPUT

Utility billing claim - 780 Fernwood Dr.

Request for \$37.50 service fee refund.

Motion:

Motion was made by Brayton and seconded by Lewis to deny the request. Motion carried 5-0

There was no further citizen's input.

ITEMS BY COUNCIL MEMBERS

E.E. WEVER, JR., COUNCIL MEMBER

Suncoast League of Municipalities Mini-Conference

Council Member Wever distributed an agenda for the May 19 and 20th SLM mini-conference.

Dade City Mayor Retires

Council Member Wever suggested that the Mayor send a letter to the long time Mayor of Dade City, acknowledging his retirement.

S.R. 50/50A Corridor

Council Member Wever stated that Council has talked about the possibility of the City participating in the acquisition cost of the right-of-way for the reverse frontage road/Providence Boulevard and also the possibility of the general fund participating in the cost of putting a water line down U.S. 41 to the new development. He passed out a report prepared by the Director of Finance regarding the City's general fund reserves. Mr. Wever advised that the report is for Council's information so they can consider what the affect would be on the reserves if Council follows through with the two projects.

Wellfield - PHCC Interlocal Agreement

Director of Public Works Pierce responded to Council Member Wever's question about the status of the PHCC Interlocal Agreement by stating that the surveyor is making final adjustments to be attached to agreement. He added that it would then be given to the City Attorney for review. Council Member Wever requested a copy once signed.

Cost of lawsuits

Council Member Wever provided Council with a schedule which reflected that the three lawsuits have cost the insurance company and the City \$426,401.00 and requested that the City Attorney and Director of Finance fill in the direct cost figures that would apply to them. He added that he felt that the figure would be closer to \$450,000 when the final costs are added.

PAT BRAYTON, VICE MAYOR

Impact Golf

Vice Mayor Brayton stated that there were several minor requests made by Impact golf, which he was in favor of, but pointed out that no formal action was taken on them. City Manager Anderson reminded Council that he would come back to Council with a projected cost on the fencing.

Director of Public Works Pierce stated that USDA turned down Civil-tech's cost for the alternate lines in the park and he would come back to Council with staff's estimate of rerouting the line.

Director of Parks and Recreation Pugh stated if the City waives the rent for six months, he would not be opposed to putting up the fence and helping him promote golf tournaments. He added, however, that he did not feel that any of the capital improvements should be done in addition to waiving the rent for six months.

City Clerk Phillips stated that she would check on the status of the FRDAP grant.

MARY A. STAIB, MAYOR

Florida Releaf Tree Sale

Mayor Staib brought up for discussion the Florida Releaf Tree Sale held April 15th. City Clerk Phillips reported that the City made a total of \$1979.00 which may be used to beautify the entrance signs to the City. She stated that those proposed plans would be brought back to Council for consideration.

ROBERT B. BATTISTA, CITY ATTORNEY

50/50A Corridor Plan

City Attorney Battista requested Council's approval for him to obtain quotes for appraising services for the individual parcels, which will be particularly focused at this point on the controversial parcels. He added that if it is over \$1,000, he would bring it to Council for approval.

Motion:

Motion was made by Brayton and seconded by Lewis to allow discussion of the land values for the frontage road. Motion carried 5-0.

Motion:

Motion was made by Brayton and seconded by Lewis to authorize the City Attorney to move forward with obtaining quotes for land property value. Motion carried 5-0.

KAREN M. PHILLIPS, CMC, DIRECTOR OF ADMINISTRATION

Heart of Florida Meeting

City Clerk Phillips advised that the Heart of Florida meeting on April 20th will be held at Pier 688 in Brooksville.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:10 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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REGULAR COUNCIL MEETING

May 1, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Lee Huffstutler, Director of Finance; Karen M. Phillips, CMC, Director of Administration; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher, Police Chief. A representative of the St. Petersburg Times was also present (7:10 p.m.).

The meeting was called to order by Mayor Staib.

CONSENT AGENDA*

City Council Minutes:

April 17, 2000 - Regular Council Meeting

Policy Exception - American Cancer Society "Relay for Life"

Consideration of waiving 11:00 p.m. curfew at McKethan and Tom Varn parks to accommodate event to be held Friday, May 19 at 6:00 p.m. through Saturday, May 20 at 12:00 p.m.

City Clerk Phillips requested that the minutes be withdrawn from the Consent Agenda to allow further review.

Motion:

Motion was made by Lewis and seconded by Johnston to approve the May 1, 2000 Consent Agenda.

Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

National Music Week

Proclaiming the week of May 7 - 14, 2000 as National Music Week.

Mayor Staib read the proclamation which would be subsequently mailed to Mr. and Mrs. Newell.

PUBLIC HEARING

COUNCIL TO ADJOURN (TO CONVENE AS COMMUNITY REDEVELOPMENT AGENCY)

COUNCIL TO RECONVENE (FOLLOWING ADJOURNMENT OF COMMUNITY REDEVELOPMENT AGENCY)

Fair Housing Workshop

Discussion of Fair Housing goals and objectives.

Angie Brewer, Brewer and Associates, stated that this workshop is a reminder that the City of Brooksville supports fair housing in their community. She stated that she provided Council with a handout which defines fair housing and the laws that govern same.

CDBG Commercial and Neighborhood - Grant Applications

Review of draft applications of proposed Neighborhood and Commercial projects, and consideration of recommendations made by the public and the CDBG Citizen's Advisory Committee meeting held May 1, 2000. [First Public Hearing April 10, 2000]

Mark Brewer came forward to state that the CATF made clerical changes to the applications which would be incorporated. He explained that the Neighborhood application would be for sewer rehabilitation and associated improvements and he referenced those areas being considered. He stated that the total grant request is \$600,000 with \$150,000 during last year's cycle identified for improvements for the downtown. There has been preference by staff, Council and the Citizen's Advisory Committee to give Commercial the priority if both are funded. If the Neighborhood gets funded and Commercial does not, the \$150,000 would need to be reallocated prior to the grant agreement being signed. If those funds were not reallocated, it would change points in the application.

Angie Brewer stated that both applications must contain a commitment to fund \$150,000 because there are points received for that.

In response to City Manager Anderson's question, Council discussed whether it needs to agree to set aside another \$150,000 for the Neighborhood portion should it get funded instead. Council Member Wever stated that the minutes and budget reflect that those funds are committed to downtown revitalization.

In response to Mayor Staib's question, Mark Brewer stated that a City is never awarded both grants because by rule it is not possible. He stated that it is very rare that a community has the same level of need in both categories.

Vice Mayor Brayton, Council Member Johnston and Council Member Lewis agree with reallocating \$150,000 to the Neighborhood grant should it get funded. Council Member Wever stated that he would not agree to that.

Council Member Johnston called attention to the applications and stated that corrections need to be done on the City and/or Brewer addresses included therein.

Vice Mayor Brayton questioned whether the required hours by the WAGE's employees will be obtained by the grant submittal deadline, which Phillips indicated that they would. Vice Mayor Brayton stated that he would suggest that those hours are verified before the Mayor signs the applications. Brewer stated that nothing will be included in the applications without the appropriate documentation.

Angie Brewer stated that she would like to see the City get credit for the \$60,000 that will come through the legislature for the MPO for the bulb out projects. She stated that to get the 12 points for that, the County would need to provide a letter committing the \$60,000. Council Member and MPO representative Johnston stated that they may be able to get a letter that the funds are budgeted but he explained that those funds are contingent on legislature approval. He stated that he would discuss it at the next MPO meeting on May 4th. Angie Brewer stated that she would fax a draft letter for Mr. Johnston to take to the MPO meeting.

Lara Bradburn stated that the DDC would be willing to approach the MPO or arrange a meeting with Council Member Johnston. She added that the DDC would be willing to draft the letter with the assistance of Angie Brewer before this meeting is over. She further stated that they would be willing to attend the Commission meeting as well.

Mark Brewer advised that the requested action is to authorize the Mayor to sign and submit the Commercial and

Neighborhood applications to DCA by May 31, 2000. Angie Brewer added that it would be helpful to include that the Commercial application is the grant of preference.

Lara Bradburn stated that the DDC supports the application.

Anna Covell questioned where the engineering designs from Florida Power came from, which staff responded that the estimates were provided to City staff based on discussions with Florida Power.

Motion:

Motion was made by Johnston and seconded by Lewis to authorize signature and submittal of Neighborhood and Commercial grant applications as revised with any additional documentation and that the Commercial is the application of choice. It was pointed out that the 12 points for the bulb-out funding would be removed if letter not obtained.

Motion and seconded were withdrawn.

Motion:

Motion was made by Johnston and seconded by Lewis to execute and submit the Neighborhood grant application subject to any necessary revisions and additional documentation. Council Member Lewis questioned that if the Neighborhood grant is funded rather than the Commercial, will the \$150,000 be reallocated. Council Member Johnston felt that, at the time of acceptance, it can be reallocated. Council Member Wever expressed his opinion that those funds be left for the downtown revitalization. Vice Mayor Brayton stated that it was his understanding that \$75,000 was budgeted last year and this added \$75,000 to make up for the \$150,000.

Motion carried 4-1 with Wever voting in opposition.

Motion:

Motion was made by Johnston and seconded by Lewis to execute and submit the Commercial grant application subject to any necessary revisions and additional documentation. Motion carried 5-0.

Motion:

Motion was made by Johnston and seconded by Lewis to make it known that the Commercial grant application is the grant of preference. Motion carried 5-0.

Community Redevelopment Plan and Tax Increment Financing Trust Fund Appendix

Consideration of A) Proposed architectural design guidelines and B) Commitment of TIF Trust Funds (\$887.16) for CDBG Commercial grant application as requested by the Community Redevelopment Agency.

Motion:

Motion was made by Brayton and seconded by Johnston to approve the architectural guidelines and funding.

There was no citizen's input.

Motion carried 5-0

REGULAR AGENDA

Resolution No. 2000-09

Consideration of submitting CDBG Neighborhood Revitalization grant application.

City Clerk Phillips read Resolution No. 2000-09 by headnote only, as follows:

A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA, RELATING TO THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; MAKING FINDINGS; AUTHORIZING SUBMISSION OF THE GRANT APPLICATION; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

Motion:

Motion was made by Lewis and seconded by Johnston to approve Resolution No. 2000-09.

There was no public input.

A typographical error was pointed out in that the word "designed" should be "designated" on both Resolution 2000-09 and 2000-10.

Upon roll call, motion carried 4-1, as follows:

Johnston Aye

Lewis Aye

Wever Nay

Brayton Aye

Staib Aye

Resolution No. 2000-10

Consideration of submitting CDBG Commercial Revitalization grant application.

City Clerk Phillips read Resolution No. 2000-10 by headnote only, as follows:

A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA, RELATING TO THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; MAKING FINDINGS; AUTHORIZING SUBMISSION OF THE GRANT APPLICATION; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

Motion:

Motion was made by Lewis and seconded by Brayton to approve Resolution No. 2000-10.

There was no public input.

Upon roll call, motion carried 5-0, as follows:

Lewis Aye

Wever Aye

Johnston Aye

Brayton Aye

Staib Aye

Resolution No. 2000-11 - Economic Development Ad Valorem Exemption

Consideration of resolution and guidelines. [from 4/17/00 mtg]

City Clerk read Resolution No. 2000-11 by headnote only, as follows:

A RESOLUTION OF THE CITY COUNCIL OF BROOKSVILLE, FLORIDA ADOPTING GUIDELINES FOR AD VALOREM TAX ABATEMENT FOR QUALIFIED NEW OR EXPANDING BUSINESSES; PROVIDING FOR AN EFFECTIVE DATE.

Motion:

Motion was made by Johnston and seconded by Lewis to approve Resolution No. 2000-11.

Lara Bradburn thanked Council for allowing staff to do research from other cities on their procedures. She proposed the additional sentence reading "The maximum years contained in the guidelines are not guaranteed to the applicant as each application must be reviewed on its own merits".

Council Member Johnston pointed out that these are just guidelines and not rules or requirements.

In response to Council's question, City Attorney Battista voiced his opinion that the argument in favor of the language does not carry merit.

Upon roll call, motion carried 3-2, as follows:

Wever Aye

Johnston Aye

Lewis Nay

Brayton Aye

Staib Nay

Donto Plaza Final Plat

Consideration of approval of modified final plat and authorize execution of same.

Community Development Director Geiger went over his staff memorandum and recommendations and added that the maintenance bond had not been received. He stated that his understanding was that Donto was still working on the language with the bonding agent. Geiger added that staff is recommending that the City rely on the performance bond and not release it until the maintenance bond is received.

Council Member Wever questioned if the performance bond can cover maintenance issues. City Attorney Battista stated that he would need to review the performance bond but did not feel that action could be taken against the performance bond to satisfy any maintenance issues.

Motion:

Motion was made by Brayton and seconded by Johnston to table the agenda item until the May 15, 2000 meeting. Motion carried 5-0.

City-County Exchange of Equipment Services

Consideration of proposed interlocal agreement for the use of City's street sweeper and County's construction equipment.

In response to Vice Mayor Brayton's question, Director of Public Works Pierce replied that the new street sweeper can be used without curbing although it is more effective with curbs.

Pierce discussed Council Member Wever's question regarding Public Work's need for dump trucks. He advised that he may come back in the next budget year for purchase of a dump truck. He added that the County may be selling used large dump trucks and the City may get a good deal.

Motion:

Motion was made by Brayton and seconded by Lewis to approve the interlocal agreement and authorize execution by the Mayor. It was pointed out that the County Attorney had not signed the document, which Pierce advised that the agreements would be sent to County staff and the Board of County Commissioners for approval.

In response to Council Member Johnston's question regarding who would be operating the equipment, Pierce advised that it could be either City or County employees. The City will cross train the County employees and will have the right to approve the operators.

Motion carried 5-0.

Engineering Consultant - Water/Sewer Line Extension (Broad Street, S.R. 50 to Powell Rd.)

Designate first ranked firm and authorize negotiations or schedule presentations by respondents.

Civil-Tech Consulting Engineers, Inc

Coastal Engineering Associates, Inc.

Council discussed the project in detail, including the cost factors involved.

Director of Public Works Pierce referred to a golf course community project in the subject area known as Hernando Oaks and added that there is no guarantee that the County will approve it. He expressed concern that if the City does not become involved in extending and expanding the City's water and sewer area, the City will lose general fund revenue from potential development. He acknowledged that in order to do that, the City must be willing to expend money to pay a consultant to put together a proposal.

Council Member Johnston contributed that ever since he was first elected to Council, the City has looked at ways to generate revenue and one consideration is to get serious about selling water and make an investment into the future and agreed that the best prospect is to go down U.S. 41.

In response to Mayor Staib's question about financing, Director of Public Works Pierce stated that the consultant will be requested to include financing options in their proposal.

Council Member Wever stated that the intent at this point is exploratory to find out the costs.

Director of Public Works Pierce stated that the City may have lost the proposed golf course community but there may be more developments in the future that the City could begin permitting before the County does if the water and sewer service was available.

Motion:

Motion was made by Brayton and seconded by Johnston to go forward with the Request for Proposals and set up consultant presentations for the May 10th Council Meeting.

Lara Bradburn stated that the DDC supports expanding City services.

City Manager Anderson stated that Angie Brewer and Associates have indicated that they would be available to seek funding sources for the project. He added that the Deputy County Administrator has stated that the County's approval of the golf course community is contingent on the County providing utility services to them and they are proceeding on the assumption that they will be providing that service.

Regarding the possible use of a Water Supply Authority grant, Council Member Wever advised that the previous grant money for the well field project must be completed before applying for another grant.

Motion carried 5-0.

Construction projects - status

- a. S.R. 50/U.S. 41 projects
- b. Phase I - Cobb Road Plant - Release of retainage
- c. Waste Water Transmission/Quarry Golf Course Effluent Lines

Director of Public Works Pierce informed Council that the FDOT Dispute Review Board is hearing three more issues; the cost of the relocation of water meters, the constructability of the water line north of Summit on US 41 and the constructability dispute of the 18" gravity sewer vs. a 16" force main on S.R. 50.

Regarding the Mildred Ave. Transfer Agreement, Pierce advised that FDOT has agreed to send a modified agreement, which will go to the City Attorney to review, then to Council for approval. Council Member Wever questioned the possibility of getting FDOT to agree not to extend the one-way pairs in consideration of the transfer. Pierce stated that FDOT will not delete those plans, but he is getting them to agree to pay for relocation.

Pierce updated Council on Phase I, Cobb Road Plant by stating that Encore has completed their punch list items. USDA and Coastal are working on the retainage drawn down.

Pierce advised that Civil Tech has renegotiated their fees on the Quarry Golf Course Effluent Line, which has been forwarded to USDA for review.

Final inspection on Phase II, Interconnect is scheduled for May 9th. Pierce stated that after that time, he will inform Council as to the plans for taking the School Street Plant off line.

City Manager Anderson stated that after design and buildability, the FDOT contingency funds are nearly depleted and staff may come back to Council with long term projections and options which may include seeking additional funding. Pierce contributed that if the City loses any of the disputes before the Review Board, there will be a problem.

CITIZEN'S INPUT

Sidewalk Permit

Mr. and Mrs. Covell thanked the City for their patience while they have been waiting on the permit for their awning.

ITEMS BY COUNCIL MEMBERS

E.E. WEVER, JR., COUNCIL MEMBER

SB 1022 - Water Resources

Council Member Wever called attention to a letter listed on Correspondence to Note from Senate President Toni Jennings and requested that staff contact Senator Jennings on whether she had referenced the wrong bill.

PAT BRAYTON, VICE MAYOR

Funding Commitment for CDBG grant applications

Vice Mayor Brayton referred to a memo from Brewer and Associates and felt that it was asking for a formal action pledging the \$150,000. City Manager Anderson stated that the representation to the State will be that the City pledges \$150,000 for each application. Council Member Johnston pointed out that the City cannot receive funding for both applications and did not see why there has to be two separate \$150,000 pledges.

Council discussed the \$150,000 which has previously been budgeted for downtown revitalization and whether the City will be willing to come up with \$150,000 should the City get funded for the Neighborhood application instead of the Commercial application.

Vice Mayor Brayton voiced his concern that if the City is committing \$150,000 in each application, yet Council has not set aside two separate fundings, that the City would be submitting a fraudulent application.

Motion:

Motion was made by Lewis to take \$150,000 from general reserves and set aside for Neighborhood Revitalization grant. Lewis added that if the City gets both grants, one will be turned down. Motion was modified to reflect that half the cost will come out of the utilities division.

Motion died for lack of a second.

It was decided to put this item on the May 10th Special Meeting agenda.

Lara Bradburn advised that the Waste Water Panel Grant died in committee. She added, however, that it may increase their chances to obtain funding in another category.

ROBERT B. BATTISTA, CITY ATTORNEY

S.R. 50/50A Corridor Plan

City Attorney Battista advised that at this point, he had obtained 2 quotes for appraisals for the frontage road property and was waiting to hear from a third firm.

MARY A. STAIB, MAYOR

Jerome Brown Community Center

Mayor Staib advised that the Community Center Grand Opening by invitation only would be held May 19th and will be opening for the general public on May 20th.

Mayor on Channel 14

Mayor Staib advised that she and Community Development Director Geiger could be seen on Channel 14 regarding Brooksville the week of May 24th at different times.

FLC Legislative Bulletin

Mayor Staib called attention to House Bill 917 and Senate Bill 270 related to municipal election.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:52 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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Community Redevelopment Agency

May 1, 2000 7:15 P.M.

Brooksville City Council convened as the Community Redevelopment Agency with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Lee Huffstutler, Director of Finance; Karen M. Phillips, CMC, Director of Administration; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tinch, Police Chief. A representative of the St. Petersburg Times was also present.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

PUBLIC HEARING

Community Redevelopment Plan

a. Consideration of proposed architectural design guidelines.

- Consideration of requesting expenditure of TIF funds (\$887.16) for proposed Commercial CDBG grant project.

Community Development Director Geiger stated that Council had appointed itself as the Community Redevelopment Agency (CRA) in 1998. Council, in this role, will review the redevelopment plan and any amendments thereto. Formal action by Council will need to be taken based on any recommendations made by the CRA.

Geiger explained the architectural design guidelines proposed as a revision to the Redevelopment Plan approved in 1999. He stated that at some point, there will be an Architectural Review Committee established which will review designs and come back to Council with recommendations.

In response to Wever's question regarding the response from the property owners, Geiger stated that guidelines were provided to the CDBG consultant, who submitted them to DCA for review. He added that most of the contact with the public has been with the Downtown Development Corporation (DDC). Lara Bradburn, DDC representative, stated that most of the concepts in the architectural design were from the City of Apopka and she stated that the DDC is excited about the guidelines.

Council Member Wever brought up for discussion the intent of the guidelines as it relates to the original design of the buildings. Community Development Director Geiger responded that there are a lot of interpretation and subjectivity regarding historical design and whatever is proposed must be consistent with the area. Council Member Wever expressed his opinion that he could not see property owners willing to do away with improvements done to the building to bring them back to the condition of years ago. Geiger stated that the guidelines are not meant to discourage improvements or additions.

Lara Bradburn pointed out that there is an appeal process incorporated into the guidelines. The goal is to discourage great deviation with the historical character of the downtown. She stated that this is not made to make existing businesses comply.

Council Member Johnston questioned a facade change that Council has approved, which are awnings over sidewalks, and wondered why this process was not included in this plan. Geiger responded that if there are future requests for that type of facade change, it would be brought back to Council on an individual basis to make sure it conforms to design guidelines.

In response to Council Member Wever's question, Community Development Director stated that FDOT permits on Broad and Jefferson Streets would need to be obtained for any facade improvements on the buildings that are in FDOT right-of-way.

Regarding the commitment of the TIF funding, Geiger explained that the amount is based on 1998 taxing. He stated that the funding will account for 10 points toward the application. He added that the CRA is being asked to make a recommendation to Council on the architectural design proposal and the TIF funding.

Motion:

Motion was made by Lewis and seconded by Johnston to recommend approval to City Council of the architectural design guidelines as proposed.

Lara Bradburn stated that the DDC supported the guidelines.

Motion carried 5-0.

Motion:

Motion was made by Johnston and seconded by Lewis to recommend approval to the City Council for authorization for the expenditure of the TIF funding for the Commercial CDBG grant project.

Lara Bradburn stated that the DDC supported the TIF funding.

Motion carried 5-0.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 7:40 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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SPECIAL COUNCIL MEETING

May 10, 2000 6:00 P.M.

Brooksville City Council met in special session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Lee Huffstutler, Director of Finance; Karen M. Phillips, CMC, Director of Administration; Emory Pierce, P.E., Director of Public Works; and Boyce E. Tincher, Police Chief. Representatives of Hernando County Bobbi Mills and Sue Rupe were also present (6:03).

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

REGULAR AGENDA

National Tourism Week

Proclaiming the week of May 7 - 13, 2000 as National Tourism Week.

Council Member Johnston read the Proclamation and presented it to Chairman of the Tourist Development Council Mills and Director of Tourism Sue Rupe.

Director Rupe passed out t-shirts in recognition of National Tourism Week and a coupon for Boston Cooker. Director Rupe further explained some of the current promotions are gifts including a Caribbean Cruise given away on the radio. Prizes have all been donated by local businesses. A mystery tourist will be touring Hernando County.

Resolution No. 2000-08 - Jerome Brown Place

Consideration of resolution naming road to Community Center "Jerome Brown Place".

Mayor Staib read the Resolution.

Motion:

Motion was made by Lewis, seconded by Wever to rename the road to the Community Center "Jerome Brown Place". Upon roll call, motion carried 5-0.

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

Presentation of Engineering Firms - UD 2000-02 - Professional Engineering Services Water and/or Sewer Line Extensions

Presentation of proposals for conceptual design, identification of potential funding sources and feasibility of water and/or sewer line extension (South Broad Street, Cortez to Powell Rd.)

Civil-Tech Consulting Engineers, Inc. 6:10 p.m.

Coastal Engineering Associates, Inc. 6:30 p.m.

Council discussed whether the RFP should be re-advertised since there were only two responses. There was also discussion on whether the scope of services was adequate. Various aspects of the project were detailed by staff, as well as the time line involved in several pending projects that would be affected by the award.

Council Member Lewis pointed out that the Fair Board has discussed in detail their interest in obtaining sewage from the City of Brooksville and they have been checking on the cost to put in a lift station at Oliver Street to hook up to the sewer system. The Fair Board is in the process of receiving grant money this year and he felt it would be a good time to use some of that grant money on a sewage lift station, even if other project funding is unavailable. This area, along with Animal Control, which is in the process of building their new facility and have expressed a desire to added to the City sewage system, would be another hooking up that could be tied into the proposed route.

Vice Mayor Brayton stated that the specifications in the RFP are pretty well defined and Council should go forward since it was agreed to at the last meeting.

Public Works Director Pierce confirmed that the City can negotiate whatever contract we want for whatever we want the engineer firm to do. The original intent for the RFP was to get a firm or firms who would do an analysis of funding sources. The scope of work needs to include a very thorough analysis of funding avenues with minimum preliminary engineering analysis and design to make an adequate application for our chosen funding source. Additional work will be contingent upon securing such funding. He pointed out we could proceed with design and permitting without having any funding available. This would get lines designed and permitted for if and when a developer shows up on the horizon to protect our interest.

Mr. Anderson stated that after Council selects a firm, staff will meet and determine a scope of work, set up a time schedule and then come back to Council. The City has the option to use the City's Grant Consultant to work with us and do some Grant identification and potential funding work. This does not include any engineering or any other work. It just identifies grant sources.

Vice Mayor Brayton asked if we received a separate quote for the funding a portion of this RFP, to which Anderson responded that the grant consultant had initially looked for grant sources for water and sewer projects when originally contracted by Council. We have not specifically authorized them to do any work, but they have indicated they are willing and anxious to participate further and look at other projects.

Mr. Anderson asked that Council give input to staff as to how to handle the funding portion of the RFP: whether to include it in the RFP or give it to the Grant Consultant. Council agreed to go ahead with the RFP process and not to separate any issues.

City Clerk Phillips indicated that Council had the ranking forms from our Procedure Policy #2-88 for utilization in this process.

Civil Tech Consulting Engineers

President Alan Garman introduced Rich Matassa, Partner, Heather Elliott and Holly Garman Secretaries.

Mr. Matassa indicated that on the US 41 project, the Developer did receive approval on preliminary plat for Hernando Oaks. The possibility of impact fees for this project is \$500,000 on water and \$1,000,000 on sewer. If the City could

strike a deal to provide these services to the Developer it appears these impact fees could cover the infrastructure costs on this project and the other two routes.

The current situation with that project is historically the County has not waived the impact fees. That is because they do not want to set precedent so other developers would also expect impact fees to be waived.

Mr. Matassa further stated that the U.S. 41 route would be their recommendation at this point for short term, S.R. 50 West would be the next viable; and S.R. 50 East would be a questionable area to go into.

Council Member Lewis asked how close the County's water line came to Powell Road or North of Powell Road? Mr. Garman stated the County had water up to California Street at Powell Road and does not go East of California Street.

Council Member Lewis further inquired where the County's lines are on S.R. 50 West? According to MR. Garman, the County is serving the new 7-11 water lines but not sewer lines. They took their lines north across S.R. 50 to Winter Street for Mid-Way Plaza.

Council Member Lewis stated that quite a few business on the west side of the Suncoast Parkway and the south side of 50 still do not have sewer. Mr. Garman advised there is a pumping station at the Psychiatric Hospital but for the other businesses to be added they would have to have a pumping station. There is no gravity sewer out there.

As to how far west he would be recommending the City, Mr. Garman stated his thoughts were to Winter Street.

Mr. Matassa pointed out that there is talk of more medical complexes at the Suncoast Parkway intersection and the County is discussing expanding sewer lines in this area.

Coastal Engineering

Cliff Manuel introduced, Len Tria, Director of Business and David Lobus, Director of Engineering and Project Manager. He also indicated that Angie Brewer and Associates would be utilized as sub consultant in this RFP.

Mr. Manuel indicated elevated storage systems are essential. They draw water in the evening when demand is low, allow for smaller water lines, and provide better water pressure.

Mr. Manuel strongly urged the City to enter into an interlocal agreement with the County to set boundaries. There are no winners in dual service districts. He pointed out that Hernando County and Florida Water Services have service districts and understand their boundaries.

Prior to ranking, Council discussed several issues on the evaluation form such as minority business points and time requirements.

15 minute break.

City Clerk Phillips read the results of the tabulation of the ranking forms, indicating that she converted 1st place to 3 points and 2nd place to 2 points.

Ranking:

Vice Mayor Brayton 1st Coastal 2nd Civil-Tech

Council Member Johnston 1st Civil-Tech 2nd Coastal

Council Member Lewis 1st Coastal 2nd Civil-Tech

Mayor Staib 1st Coastal 2nd Civil-Tech

Council Member Wever 1st Coastal 2nd Civil-Tech

Coastal Engineering ranked 1st with 14 points, Civil Tech Consulting Engineering 2nd with 11 points, therefore, the first ranked firm is Coastal Engineering.

Motion:

Motion was made by Brayton and seconded by Lewis to accept the ranking and proceed with negotiating.

Motion Carried 5-0.

Commercial and Neighborhood Revitalization Applications - Commitment of Funds

Review of matching fund commitment.

Finance Director Huffstutler reported that \$75,000 is in the special revenue fund in the current budget and will be carried forward. Next year the City will add another \$75,000 in the Budget for a total of \$150,000 as a contribution to the project.

Vice Mayor Brayton pointed out that the memorandum from Brewer & Associates also recommends that the City guarantee the \$60,000 for the bulb out project if the MPO does not come through with the money.

Mark Brewer, Brewer and Associates, clarified that they are recommending that the City commit to an additional \$60,000 with the source of funds being identified from the MPO. If the FDOT does not come through with the money, that commitment from the MPO cannot be made.

Vice Mayor Brayton suggested that prior to the submission of this Grant, the City could arrange for the additional \$75,000 and \$60,000 to be set aside and budgeted this year so that we can go ahead with the CDBG Grant.

Council Member Johnston expressed his agreement to move funds from carry forward to special funds as long as it is not done again next year.

MOTION:

Motion was made by Brayton and seconded by Lewis to allocate \$75,000 and 60,000, for a total of \$135,000, in the current budget for CDBG matching funds. It was pointed out by Vice Mayor Brayton that this would be to augment the current \$75,000 making a total of \$210,000 committed to CDBG.

Motion Carried 5-0.

MOTION:

Based on concerns of Council Member Wever, motion was made by Brayton and seconded by Johnston to recommit those funds previously budgeted for Downtown Redevelopment to CDBG matching funds.

Motion Carried 5-0.

For clarification, City Manager Anderson stated that the City is moving \$135,000 out of reserves to total \$210,000 committed for CDBG out of this year's budget to be carried forward. He further clarified that if the MPO did not come through with the \$60,000 it would be taken out of reserves. \$75,000 will not be taken out of next year's budget.

City Clerk Phillips indicated as of the May 3,2000 payroll the City has 560 hours in WAGES employee hours, which exceeds the required amount for point leverage.

Preliminary Budget Workshop

Initial consideration of 2000-01 Fiscal Year Budget.

Finance Director Huffstutler indicated that he would like this to be a brainstorming session to obtain direction from Council.

Vice Mayor Brayton began by stating that grants and other funding will need to be reviewed for development costs that the City will be incurring. He went on to express his support of a 2.5% cost of living adjustment being implemented in October. He felt that in order to fund the development costs and the cost of living expenses, Council may have to consider increasing the millage rate by ½ mil and back off buying equipment, particularly police vehicles.

Council Member Wever advised he would not support an increase in the millage rate, and would like to see a decrease. He felt that the City should hold expenses to a minimum in an effort to raise revenues. He added that he is anxious to see what impact the legislative bills passed during this session may have on municipalities. He discussed the fleet replacement fund and expressed his opinion that the income made on those monies should be reflected in a separate fund.

Council Member Wever called attention to sanitation legislation being considered and felt that Council may want to consider making the City's Sanitation Division a franchise. He felt that Council should consider changing the rate structure for water and sewer fees.

Council Member Wever asked what was included in the budget for the well field project? City Manager Anderson responded that only the test wells were included.

Finance Director Huffstutler agreed that water and sewer rates would need to be increased. Regarding the water tower, Huffstutler advised that would need financing.

Council Member Lewis agreed that the City would need to watch purchases of replacement items. He added that regarding the line extensions out U.S. 41, the City may want to consider adding only water lines if it cannot afford to add sewer lines. He felt that the new revenue sources should be considered.

Council Member Johnston asked about the gas tax interlocal agreement. City Manager Anderson stated there will be no further reductions, that it is flat now. Council Member Johnston added that he liked the budget format used last year and reminded the Finance Director that Council had discussed that more details should be added on footnotes.

Mayor Staib called attention to the community swimming pool referenced in the budget material. City Manager Anderson advised this was only listed as a dream list item. Community Development Director Geiger elaborated that it was included because it is listed on the comprehensive plan.

Mayor Staib asked about land being put aside for additional parking? Per City Clerk Phillips this is to set up a cash pool for future additional parking at Tom Varn Park that was discussed at last budget hearing.

Mayor Staib inquired about a Veterans Memorial that has no cash set aside. The City Manager advised that this was for the Cemetery, however, since they do not know yet what it would look like so there is no idea what the cost involved would be..

Mayor Staib asked if the City had spent \$11,000 on the brick streets. Mr. Anderson replied that staff plans to spend that amount before the end of the year. Public Works Director Pierce stated that work has begun on Liberty Street and that some of the costs will be for rental of equipment.

Regarding the replacement meter program, Utilities Director Will Smith responded that this is just replacement meters that the City changes every year.

Mayor Staib asked if the Russell Street bathroom will be done this year. Staff responded it would be built by City Staff.

Finance Director Huffstutler asked for Council direction on the Self Insurance Fund. Vice Mayor Brayton advised that he thought the plan was to put aside \$50,000 each year with the idea to save up some money long term. However, after discussion on the cost of this type of program it was the Consensus of Council that this item may be on hold until new research is complete and would be discussed further at Budget time.

Finance Director Huffstutler inquired whether the City should reduce the number of accounts being carried: i.e. Trust Funds can be one account and separated internally. Council Member Johnston conceded that this would be great, however, he seemed to recall when the City tried this in the past it was a problem in Finance. Council agreed this is fine as long as they can tell what the amounts are by individual divisions.

Finance Director Huffstutler asked for Council's view on such things as the \$90,000 currently set aside for the new elevator and the plan to set aside another \$90,000 next year; matching grants; Self Insured Dental Plan.

Vice Mayor Brayton felt that some of these things need to be readdressed since things are different today than in the past and the City may need to do without some of these things now.

Finance Director Huffstutler advised that Council recently made a change to the Dental policy that goes into effect October 1 and he wondered if there were any other policy changes being considered. As an example he stated that one that comes to mind is how much debt do we want to take up.

Council Member Wever felt we should borrow money and pledge fees from cable tv where it would lock it. That was what he had in mind about setting Sanitation Division as a Franchise basis.

Finance Director asked if the Utility tax and telecommunication taxes were dead? Council Member Wever stated it is contingent on Legislative.

Council Member Wever asked about comparing lease to purchase on new equipment. Finance Director Huffstutler stated that the City get such a good rate since we are government that it is better to purchase but staff can still look at it.

Finance Director Huffstutler pointed out there had been discussion of Human Resources coming under Administration and asked if there are any other similar changes being considered.

Vice Mayor Brayton pointed out that these types of recommendations come from the City Manager.

Finance Director Huffstutler inquired if Council wants to look at how we allocate costs? For instance, Public Works Director Pierce is 20% here, 30% there etc. Do you want to look at the way we allocate personnel or costs? Council Member Wever stated he believed in cost accounting if we can do it. Council Member Johnston said if it is a large difference it is worth looking at, otherwise no.

As to encumbrances, Finance Director Huffstutler asked if Council wants to set up time limits. For instance Handball courts; if not completed it must be re-budgeted and if the project has been started they have to be re-encumbered. Council directed the Finance Director bring them a list of these encumbrances.

Finance Director Huffstutler asked if there are any targets for reserves? Council Member Wever offered his opinion that they not be less than 10%.

Another issue to consider per Huffstutler is if the City wished to sell any of its assets.

ITEMS BY COUNCIL MEMBERS

E.E. WEVER, JR., COUNCIL MEMBER

Drug Arrests

Council Member Wever stated at the next Heart League Meeting next Friday they will be discussing arrests that are

made for drugs. He asked Police Chief Tincher if the Police Department gets money when the drug arrests are prosecuted by the State. Police Chief responded that he was not sure but they get a percentage of revenue for traffic citations, for fines that are imposed and for the recovery of investigative costs. Council Member Wever would like an answer by next Friday, if possible.

JOSEPH E. JOHNSTON, III, COUNCIL MEMBER

RFP's

Council Member Johnston stated that the RFP's should include a section for a response from the potential consultants to answer the question whether or not the project for which they are bidding will impact their employees, business or clients.

Motion:

Pursuant to current policy, Motion was made by Johnston and seconded by Brayton to put this item on the Agenda to discuss.

Motion carried 5-0.

Motion:

Motion was made by Johnston and seconded by Brayton to include a section in the RFP's for disclosure of the project's impact on the proposers, employees of the proposers, and any proposer's clients to be disclosed without prejudice against points as a blanket statement in general conditions.

Motion carried 5-0.

RICHARD E. LEWIS, COUNCIL MEMBER

60 Acres

In response to Finance Director Huffstutler's question as to whether or not we have something to sell, Council Member Lewis suggested we might want to put the 60 acres on the market. Council would like to discuss at a later date.

E.E. WEVER, JR, COUNCIL MEMBER

Water conservation, lawn sprinkling

Council Member Wever feels that the proposal by SWFWMD will cause more water to be used and would like the Council to put restrictions back into the City limits to two days, with fewer hours, reducing the hours to 4 p.m. through midnight. He would like to see this on Monday night's Agenda.

Mr. Anderson indicated that Utilities Director Will Smith did a brief synopsis. Mr. Smith passed out a graph of the last 3 months. Utilities have not received any low pressure complaints. The City is sustaining little more peaks than usual. The 9 day average for May showed our peaks were running about ½ million over average flow. The City water system is holding up well and aerial tanks will help with the pressure.

Old Fire Truck

Council Member Wever asked if the old fire truck could be used as a tanker to fight grass fires? Chief Daugherty said it would not work because it could not get out to off road fires.

KAREN M. PHILLIPS, CMC, DIRECTOR OF ADMINISTRATION

Jerome Brown Center

Reminded everyone of the Jerome Brown Center Grand Opening Ceremony next Friday, May 19,2000.

PAT BRAYTON, VICE MAYOR

American Cancer Society

Stated that the American Cancer Society Relay Race also begins Friday at 6:00 p.m.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:50 p.m.

City Clerk

ATTEST:

Mayor

:bg

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REGULAR COUNCIL MEETING

May 15, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Lee Huffstutler, Director of Finance; Karen M. Phillips, CMC, Director of Administration; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher, Police Chief (7:00 p.m.).

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA*

City Council Minutes:

April 10, 2000 - Special Meeting

April 17, 2000 - Regular Council Meeting

May 1, 2000 - Community Redevelopment Agency

May 1, 2000 - Regular Council Minutes

Donto Plaza Final Plat-Maintenance Bond

Defer pending presentation of Maintenance Bond. [Tabled from 5/1/00 meeting]

Motion

Motion made by Lewis and seconded by Wever to approve Consent Agenda.

Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

U.S. Martial Arts Team - World Martial Arts Championship

Presentations of certificates to Medalists by Mayor Staib. Attending were Alberto Freidmann and Phillip Steele.

Relay for Life

Proclaiming May 19 and 20 as American Cancer Society Hernando Unity Relay for Life Days.

Vice Mayor Pat Brayton read Proclamation. Accepted by Members of the American Cancer Society. Representatives from the American Cancer Society thanked the City, Vice Mayor Brayton and the City Parks and Recreation

Department and reported that there are 21 teams participating this year.

Civility Month

Proclaiming the month of May, 2000 as Civility Month.

Council Member Johnston read Civility Proclamation, which would be forwarded by mail.

National Mental Health Month

Proclaiming the month of May, 2000 as National Mental Health Month.

Council Member Lewis read the Mental Health Proclamation, which was presented to Terry Sellers on behalf of Springbrook Mental Health.

REGULAR AGENDA

Audit - 1998-99 Fiscal Year

Acceptance of audit of year ending September 30, 1999.

Finance Director Huffstutler indicated that the City had a small dip in revenue of about \$200,000 due to sale of the Liberty Street property but expenses were also down. As a result, revenues were above expenses approximately \$80,000 for a fund balance carry over. Utility Fund revenue was up about \$75,000 and operating expenses down about \$80,000, for a net income of approximately \$200,000, which went to pay USDA. Sanitation Fund revenues were down and expenses were up, according to Huffstutler. He further pointed out that the Quarry Fund looked good at the end.

The Finance Director was disappointed in the Audit finding stating the accounting manual was not done and indicated that this would be completed this summer. The second finding was related to the Fixed Assets and this will also be corrected.

Council Member Wever asked about General Fund figures on Page 37, where the Auditor shows that we budgeted \$530,000 to be transferred out and only \$397,000 was transferred out. The Finance Director indicated part of this money was the COPS Fast Grant and he thought the balance was also related to Grant Funds. Council Member Wever inquired about the internal service fund referenced on page 63 where the budget shows a transfer of \$409,952, and the Audit shows only a transfer of \$310,000. The Finance Director responded that during the year the City over funded and then curtailed the transfers replacing future vehicles since the fund had already accumulated enough cash. Council Member Wever pointed out that in the current report on vehicles it includes a percentage increase on those funds, but the detail budget only shows straight amortization of the cost going into the fund. The schedule needs to be revised to match the detailed budget, which the Finance Director agreed with. Council Member Wever indicated that he had recalculated these figures finding approximately \$200,000 through 1999 that needs to be in the account, plus whatever interest that was earned on that money. Finance Director Huffstutler noted that there will be changes to the Internal Service Funds and that the Governmental Accounting Standards Board has made a change as to how this is to be shown in future financial statements. The change will be more like a business. Council Member Wever indicated he felt those funds should be separated out of the regular maintenance fund.

MOTION:

Motion was made by Johnston and seconded by Lewis to accept the Audit.

Motion carried 5-0.

Resolution 2000-12 - Water Restrictions

City staff distributed a letter from the Board of County Commissioners to SWFWMD dated 5/9/00 requesting variation from water regulations.

Public Works Director stated that the Resolution includes the current SWFWMD recommendations which are in effect at the present time (watering one day a week on Sunday or Tuesday depending on address).

Mayor Staib indicated that she would like to see the City keep the current water restrictions. Council Member Wever stated that he finds watering one day uses more water than watering two days and felt it should be revised to allow watering two days a week, reducing the hours to 4 p.m. thru midnight.

Council Member Brayton asked the City Attorney who has the final authority, to which the Attorney responded that SWFWMD has final authority.

City Manager Lewis inquired why the Resolution was necessary if the City desired to follow the current SWFWMD Regulations and not the County's version.

Council Member Johnston pointed out if we use the County Policy the City would not have to advertise a separate policy for the City residents and would allow for better enforcement.

City Manager Anderson explained that the City had passed a resolution several years ago under the current code which is still in effect but the days are wrong. The City needs to rescind the old resolution and do a new resolution.

City Clerk Phillips read head note for Resolution 2000-12 as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA, SETTING WATER USE RESTRICTIONS PURSUANT TO CITY OF BROOKSVILLE ORDINANCE NO. 539, INCORPORATING THE RESTRICTIONS CURRENTLY PROMULGATED BY THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT.

The City Clerk stated for the record that section 2A limits existing lawn and landscape watering to only one day per week according to the following schedule:

Addresses ending in 0-1 Monday only

Addresses ending in 2-3 Tuesday only

Addresses ending in 4-5 Wednesday only

Addresses ending in 6-7 Thursday only

Addresses ending in 8-9 Friday only

and those with no addresses Friday only

MOTION:

Motion was made by Johnston seconded by Lewis to approve.

Upon roll call vote, motion failed 2-3 as follows:

Johnston Aye

Lewis Aye

Wever Nay

Brayton Nay

Staib Nay

Following discussion as to whether the County's Variance Request encompassed the incorporated area of the City of Brooksville, which City Attorney felt was the case based on reading their variance request unless the City took alternate action and it was agreed to bring back to the next meeting.

MOTION:

Based on the recommendation of the City Attorney, Brayton made a motion, which was seconded by Johnston to enforce the County Variance and re-write resolution 2000-12 to conform with that for the next meeting.

Motion carried 3-2, with Staib and Wever voting in opposition.

Actuarial Services - Pension Systems

Consideration of authorizing consulting services with Actuarial Sciences Associates, Inc. on an as needed basis at contract rate not to exceed \$6,000 unless further authorized by Council.

Finance Director Huffstutler advised that after attending a Pension seminar last month he feels the City should have their own Actuary.

MOTION:

Motion made by Brayton and seconded by Lewis to enter into an agreement with ASA, Inc and authorized execution by the Mayor.

Motion passed 5-0.

CITIZEN'S INPUT

There was no Citizen's Input.

ITEMS BY COUNCIL MEMBERS

E.E. WEVER, JR. COUNCIL MEMBER

FDOT Contingency Account

Council Member Wever asked whether or not the interest has been added to the contingency to which Director of Public Works replied that it was not included. He further stated there have been some decreases in earlier estimates and tonnage over-runs which would cost approximately \$60,000 more by the end of the job. We are at approximately \$150,000 committed with a contingency of about \$450,000 and therefore, this moment, in pretty good shape.

Director of Public Works Pierce recommended lining up an alternate contractor to give the City a better price than the current contractor. If another contractor can do sewer lateral work the City could complete the project with present contingency amounts, especially since if we lose on any of the three remaining DRB issues the City will have a problem.

Council Member Lewis asked if any money has been saved using the joint contractor. Pierce responded that when working with FDOT it is usually best to use the Joint Contractor, otherwise you have the FDOT surveyor and the City surveyor, etc. He felt that some of the additional expenses were partially the Contractor's fault but there were some loop holes in the specifications. While staff is spending more time locating pipes and this should help save money, the contractor underestimated the work and bid too low on this job. If more money is needed, Pierce stated that the City could borrow from FDOT. The worst case is estimated to be \$500,000 more than current contingency.

MARY A. STAIB, MAYOR

Monthly Reports

She noted that the Fire Department did not include response times. Chief Daugherty indicated this was due to a computer problem in dispatch, and that he could have the figures to Council the next day.

Mayor Staib further pointed out that the Police Department reports show "N/A" frequently on the second page and felt the report is incomplete. She noted however, that Code Enforcement is doing a great job.

ROBERT B. BATTISTA, CITY ATTORNEY

Cobb Road Water Reclamation Facility

Attorney Battista advised that the Bessie Bellware, et al Eminent Domain suit on the 70' easement case is still on going. There has been a pre-trial conference on this and he is working on a settlement that will be coming back to Council at an Executive Session.

RICHARD A. ANDERSON, CITY MANAGER

PHCC Interlocal agreement

Anderson reported that the City has received attachments A and B for the wellfield interlocal agreement, which are going to the City Attorney for review and will then be returned to the college board for their next meeting.

KAREN M. PHILLIPS, CITY CLERK

Jerome Brown Community Center

City Clerk reminded City Council of the Grand Opening of the JBCC on Friday from 6 p.m. to 8 p.m.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:50 p.m.

City Clerk

ATTEST:

Mayor

:bg

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REGULAR COUNCIL MEETING

June 5, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Lee Huffstutler, Director of Finance; Karen M. Phillips, CMC, Director of Administration; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Ron Woods, Police Detective, and a representative from the St. Pete Times.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA*

City Council Minutes:

May 10, 2000

FDEP - Reduction in Permitting Fees

Authorization to request reduction for S.R. 50/U.S. 41 JPA Utility Relocation Project Interceptor Permit Modification to maximum of \$100 in permit processing fees pursuant to Florida Statutes, Section 218.075 (1), per capital taxable value is less than, and pursuant to Florida Statutes Section 218.075 (2), the percentage of exempt property is higher than, the state wide average.

DCA - 2000 Federal Anti-Drug Abuse Act Grant

Approval of allocation for 2000 Federal Anti-Drug Abuse Act Grant Funds and authorization to execute letter of agreement.

Basketball Goal - Jerome Brown Community Center

Confirmation of purchase for Hufcor Durkee, Inc. in the amount of \$8,510.00.

Motion:

Motion made by Wever and seconded by Lewis to approve Consent Agenda.

Motion carried 4-0

PUBLIC HEARING

Alcoholic Beverage - Location Approval Verona House

Consideration of Application for Approval to sell alcoholic beverages at 201 S. Main Street.

There was no Public Input on the Application.

Motion:

Motion made by Lewis and seconded by Wever to approve. Motion carried 4-0.

REGULAR AGENDA

Firefighters Pension System - Plan Amendment Ordinance(s)

Scott Christiansen, Attorney for the Firefighters Pension Plan Board of Trustees addressed City Council.

Attorney Christiansen advised that the recent legislation has three parts that effect the plan. The first part is the non-cost changes which have been incorporated in the large Ordinance #525C. The second part requires that the plan be analyzed to see if it meets the minimum benefits of Chapter 175. He reported that the City meets or exceeds all of these requirements. The last analysis has to do with overall funding of the plan. The legislation says that the State money has to be used to provide extra benefits for Firefighters. Ordinance #525D is for a cost of living increase that will enable the City to comply with this last item.

The headnote was read by the City Clerk Phillips for Ordinance #525C, as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, ENACTING INTO LAW AN AMENDED AND RESTATED PENSION PLAN FOR FIREFIGHTERS, PROVIDING FOR A REVISED FIREFIGHTERS' RETIREMENT TRUST FUND; PROVIDING FOR DEFINITIONS; PROVIDING FOR MEMBERSHIP; PROVIDING FOR A BOARD OF TRUSTEES; PROVIDING FOR FINANCES AND FUND MANAGEMENT; PROVIDING FOR CONTRIBUTIONS; PROVIDING FOR BENEFIT AMOUNTS AND ELIGIBILITY; PROVIDING FOR PRE-RETIREMENT DEATH BENEFITS; PROVIDING FOR DISABILITY BENEFITS; PROVIDING FOR VESTING OF BENEFITS; PROVIDING OPTIONAL FORMS OF BENEFITS; PROVIDING FOR BENEFICIARIES; PROVIDING CLAIMS PROCEDURES; PROVIDING FOR REPORTS TO THE DIVISION OF RETIREMENT; PROVIDING FOR A ROSTER OF RETIREES; DELETING BOARD ATTORNEY AND PROFESSIONALS; PROVIDING FOR A MAXIMUM PENSION LIMITATION; PROVIDING FOR DISTRIBUTION OF BENEFITS; PROVIDING MISCELLANEOUS PROVISIONS; PROVIDING FOR REPEAL OR TERMINATION OF THE SYSTEM; PROVIDING FOR EXEMPTION FROM EXECUTION AND NON-ASSIGNABILITY; PROVIDING FOR PENSION VALIDITY; PROVIDING FOR FORFEITURE OF PENSION UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR CONVICTION AND FORFEITURE, FALSE, MISLEADING OR FRAUDULENT STATEMENTS; PROVIDING FOR INDEMNIFICATION AND DEFENSE OF CLAIMS; PROVIDING FOR DIRECT TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS; PROVIDING FOR PURCHASE OF CREDIT FOR MILITARY SERVICE PRIOR TO EMPLOYMENT; PROVIDING FOR BI-ANNUAL REVIEW OF STATUS OF RETIREES AND BENEFICIARIES; PROVIDING FOR THE PURCHASE OF CREDITED SERVICE FOR ABSENCES PURSUANT TO THE FAMILY AND MEDICAL LEAVE ACT; PROVIDING FOR A DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

She reported that the second and final reading will be on 6/19/00, with the effective date of the ordinance retroactive to 12/31/99.

Motion:

Lewis made a motion, seconded by Wever.

There was no public input.

Upon roll call vote motion carries 4-0 as follows:

Johnston Aye

Lewis Aye

Wever Aye

Staib Aye

Ordinance #525D Headnote read by City Clerk as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, AMENDING ORDINANCE NO. 525-C, ADOPTING THE AMENDED AND RESTATED FIREFIGHTERS' RETIREMENT TRUST FUND; AMENDING SECTION 6, BENEFIT AMOUNTS AND ELIGIBILITY, TO PROVIDE FOR A COST OF LIVING ADJUSTMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

The second and final reading will be on 6/19/00, effective upon adoption.

Motion:

Lewis made a motion which was seconded by Wever to approve the 1st reading of Ordinance #525D.

There was no public input.

Upon roll call vote motion carried 4-0 as follows:

Lewis Aye

Wever Aye

Johnston Aye

Staib Aye

Police Pension System - Ordinance #552B

Motion

Motion was made by Johnston and seconded by Wever to add the Brooksville Police Pension Trust Fund Amendment Ordinance to Agenda. Motion carried 4-0.

Police Pension Trust Fund Amendment Ordinance Headnote read by City Clerk, with an effective date of 12/31/99 as follows:

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF BROOKSVILLE; AMENDING THE RETIREMENT PLAN AND TRUST FOR THE POLICE OFFICERS OF THE CITY OF BROOKSVILLE; AMENDING ARTICLE TEN PROVIDING FOR OPTIONAL FORMS OF BENEFITS; ADDING A NEW PROVISION PROVIDING FOR PENALTIES FOR FALSE OR MISLEADING STATEMENTS MADE TO OBTAIN RETIREMENT BENEFITS; PROVIDING FOR CONFLICT, SEVERABILITY, AND PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion:

Lewis made a motion to approve first reading, which was seconded by Wever.

There was no public input on this ordinance.

Upon roll call vote motion carried 4-0 as follows:

Wever Aye

Johnston Aye

Lewis Aye

Staib Aye

Resolution 2000-12 or Ordinance 539A - Irrigation Schedule

City Manager explained the three options that were included in the Council Packets for Attachment 3A-rescinding Resolution #94-9 and implementing "5 day" SWFWMD schedule, Attachment 3B-rescinding Resolution #94-9 and implementing "1 day" water schedule or Attachment 3C-Amend Ordinance #539 to automatically adopt SWFWMD rules.

Council Member Wever stated he did not agree with any of the options. He felt the City should continue with the old schedule two days a week but restrict the hours until 5:00 pm to midnight only, with no morning watering. The Mayor agreed with Council Member Wever.

Council Member Johnston stated he would like to see the City consistent with Hernando County for easier enforcement.

Motion:

Motion made by Johnston to approve Resolution 2000-12, attachment 3A-option for M-F watering based on house number, which was seconded by Lewis.

There was no public input.

Motion tied at 2-2, with Staib and Wever voting against. Tabled to next meeting.

"Second Chance" School

School Board Representative, Jim Knight, Director of Student Services requested renovation and use of the room just below the press box at Tom Varn Park for a classroom. He advised that the class will have up to 10 students for use Monday through Friday during the school year for students from 8:30 a.m. until 2:30 p.m. Faculty will be there from 8:00 a.m. to 4:00 p.m. The school will be responsible for utilities, renovations and routine repairs and there will be 1 teacher and 2 para professional adults. He also noted that the location is close in proximity to the Brooksville Police Department. The students would be in grades 6 through 12 and the School Board would be responsible for supervision.

Mayor Staib asked if the Russell Street Train Depot was considered. Mr. Knight indicated that the School Board was looking for a regular City Park so that the students could use the facilities for recreation and also the students could help with the maintenance of the park. They had looked at the Jerome Brown Community Center but the program would interfere with activities at the Community Center.

Council Member Wever asked Parks Director Pugh if the basketball and ball field lights came through the same meter as the proposed building site. Parks Director Pugh indicated they were on the same meter. Council Member Wever further inquired where the current Parks office and maintenance equipment would move to if this was approved. Parks Director Pugh stated that the Parks Office would move to the house on the Parks ground and that included in the Parks budget was a plan for a new maintenance facility.

Jim Knight added that there were plans for 10 computers to be in the building and they would be available for other

uses, possibly adult education.

Council Member Richard Lewis stated he had a concern that these students were not allowed on School Property. Jim Knight commented that this is true for some students but not all students and he advised that a requirement of the State is that the School Systems are to enter into agreements with other outside agencies.

Janice Smith, Coordinator of Drug and Violence Prevention Service for the School District, stated these young people currently at the Parks and interacting with other youth. The Second Chance School is trying to help these young people by giving them a structured program that will teach them and help prevent them from doing things when unsupervised. Currently they are unsupervised and in the public areas while adults are at work and children in school.

Jim Knight advised the State Grant money is for the start up of the building and supplies. The School System will provide teachers and staff. Council Member Lewis asked if the school checked into some of the area shopping plazas. Mr. Knight said that one of the problems with allowing the school to be set up in a shopping plaza is when the youth are on break, they have no place to go, except established businesses or in the parking lot.

City Attorney Battista indicated he has problems with the way the Agreement is written and stated he would be comfortable with the Council considering the concept but would like to have an extensive review with staff before the approval of the final agreement.

Council Member Johnston asked about the agreement indicating 30 students when the class size was to be 10. Mr. Knight answered that 30 represented the number of students total in a school year, but that only 10 would be allowed in a class at any time.

Council Member Johnston also stated that he would like the cancellation clause to be less than the 6 months included in the agreement.

Council Member Wever requested Council table this until next meeting to give staff and the City Attorney time to look over the inter-agency agreement and grant information.

Council Member Lewis was concerned with the area in the agreement where the School District would renovate the building up to \$20,000 but on page 2 it states that if there are any property type damages it will not exceed \$20,000.

Motion:

Lewis made a motion, seconded by Wever to direct Staff to bring back on 6/19/00 with more information. Motion carried 4-0.

Quarry Golf Course Effluent Line Relocation

Public Works Director Emory Pierce pointed out that initially costs were too high to suit USDA for the Quarry Golf Course Effluent Line Relocation. Now staff has negotiated with Civil Tech where it is acceptable to USDA. The funds were decreased to below what it would take to do this effluent line and now USDA wants the City to pledge a resolution so that if it approves the engineering services cost (\$24,000 ±) the City will actually construct this line.

Director Pierce stated the City has been pumping this line for approximately 6 months with no problems and he felt the City has more serious needs on other projects. City staff can probably get to this in the next year and do it in house, according to Pierce, and the City could devote the contingency funds to demolish the old plant.

Motion:

Lewis made a motion recommended by staff, which was seconded by Johnston to deny the effluent line relocation.

Council Member Wever asked our liability if a line breaks. Director of Public Works Pierce indicated the City has repaired these in the past within 12 hours. The approximate in-house cost for the survey and geo-technical would be

\$3,000 - \$4,000 and construction would still be approximately \$115,000, according to Pierce.

Council Member Wever asked how much had been budgeted to demolish the Croom Road Plant? Mr. Pierce responded that was not budgeted, and it had been anticipated to use the contingency to close the plant. Council Member Wever felt that he would like to see Croom Road WWTP demolished but not School Street WWTP at this time.

Council Member Wever requested Finance Director Huffstutler do an analysis of the Utility Fund similar to the recent one he completed for General Fund since Council needs to know what is in the reserves.

Motion carried 4-0 to deny work.

FDOT Projects

Director of Public Works Pierce presented several change order requests for approval.

Motion:

Motion was made by Wever, seconded by Lewis, to approve consideration of Change Order #3, SR 50/US 41 JPA, for additional work in the amount of \$13,846.58. Motion carried 4-0.

Director of Public Works Pierce stated that an 18" gravity sewer needs to be replaced and a 16" force main needs to be moved to do this. He felt if the City tried to fight the contractor on this it would easily cost \$70,000 in legal fees.

Motion:

Lewis made a motion, which was seconded by Wever, for the City Manager to sign a change order not to exceed \$70,000 to resolve this issue of Utility Work/Disputed Work/Additional Costs of SR 50/US 41 JPA. Motion passed 4-0.

Director Pierce advised that negotiations have begun on major disputes of sewer laterals on this project. Sewer laterals were put in at 1 each instead of 25 to 30 sewer laterals. The Dispute Board stated that the Contractor would have to be compensated for the by-pass pumping of the sewer laterals and the additional sewer laterals. The City is in the process of getting a quote from the Contractor for the sewer laterals. Director Pierce stated that he will attempt to have the City do the by-pass pumping of the sewer laterals but it is complicated by working with the Contractor's schedule so as not to delay the Contractor. The City will have to rent extra pumps and vacuum trucks on short notice that may need to exceed purchasing procedures.

Motion:

Motion made by Wever seconded by Johnston to authorize the City Manager to exceed the limits of the purchasing policy for this emergency situation relating to by-pass pumping up to \$10,000. Motion passed 4-0.

Motion:

Motion made by Wever and seconded by Johnston to authorize staff to negotiate with the Contractor for an 8" trunk sewer line to connect with the existing sewer line.

Motion approved 4-0.

Amendment to Zoning Regulation

Community Development Director Bill Geiger reviewed staff memorandum with Council regarding mini-warehouses in Candlelight behind Killingsworth Plaza. Director Geiger noted that the City is not addressing the Developer's mini-warehouse proposal at this time, it is only considering the request to consider an amendment to the zoning regulation to address a mini-warehouse facility as a special exception use in the R-3 and Residential PDP category. The Planning

and Zoning Commission, at their 5/17/00 meeting, unanimously recommended that City Council authorize staff to develop an amendatory ordinance to provide for mini-warehouse facilities under the referenced zoning categories (R-3 and Residential PDP).

There was Council discussion on the variance procedure that is currently available for this type of request and the appropriateness of amending the code in lieu of the variance procedure.

Motion:

Motion not to approve by Wever, seconded by Lewis, which carried 4-0.

Council Member Wever indicated that he would like to see the actions of the Planning and Zoning Board in regards to the Apartments/Townhouses that were proposed in the area adjacent to Candlelight on the next Council meeting agenda.

Community Development Director Geiger stated the Board approved the special exception use for having a multi-family concept PDP master plan subject to multiple conditions and directed the Petitioner to bring back a revised master plan for consideration by the Board to review subsequent to the approval on May 17,2000.

Joe Piermatteo, resident of Candlelight, 951 Moonlight Lane, advised that he does not want mini-warehouses or apartments, and presented pictures of local mini-warehouses.

Keith Shank of Moonlight Lane in Brooksville thanked City Council for recognizing that residential and commercial parcels do not mix. He would also like to see Council review the apartments approved at the May 17 Planning & Zoning commission.

Council Member Wever further stated he had previously requested that the City Manager and Director of Public Works have the right-of-way at the far end of Candlelight Blvd. surveyed which was done. However he felt the survey was based on the original plat, and did not make provisions for the portion that had been vacated by the City.

Emergency Equipment - Reimbursement Rates (BERT) Policy Number 2-99

The City Manager indicated this is clarification of rental rates and a few changes that include a weekly rate at 90% of the daily rate. Also, there is an adjustment to salaries to include recent raises and mileage adjustment.

Motion:

Motion made by Lewis seconded by Johnston to approve changes in Brooksville Emergency Response Rates. Motion passed 4-0.

Pay Plan Amendment - Human Resource Manager

City Manager Anderson presented to Council a pay grade 53 recommendation for a Human Resource Manager.

Council Member Wever stated that there is no position in the budget and it would need to be authorized. He felt this should be deferred to budget time due to other expenses incurred this year. There was discussion of the fact that it would most likely take 3 months to get this person on board.

Motion:

Motion made by Johnston and seconded by Lewis to establish a pay grade at 53 as recommended, which passed 4-0.

Motion:

Motion made by Johnston seconded by Lewis to advertise for this position and to create a Human Resource Manager position at a pay grade of 53. Motion carried 3-1 with Wever voting against.

NAACP - Cost Reimbursement

No one was in the audience to represent the NAACP.

Council requested a policy be written that states the City does not waive these fees.

Motion:

Motion made by Wever seconded by Lewis to deny request to reimburse. Motion passed 4-0.

Resolution #2000-13 Fire Truck

The City Manager reminded Council that when we originally purchased the Fire Truck the City had the option of using reserve funds or to borrow the money. The City purchased from reserves then new legislation came about that is changing funding options. He felt it may be beneficial now to apply for a loan.

Council Member Wever did not recommend putting the gas company and power company in the agreement, since the revenue was already pledged. He would also like to extend the term to 10 years. Finance Director Huffstutler indicated the bank might not agree to the term of 10 years. Council Member Wever stated the Florida League may have a lower rate for 10 years if the bank does not accept this. Finance Director Huffstutler indicated this may need to be rebid since we did a RFP for 5 years.

City Manager Anderson advised that staff would make changes and bring back to Council. Council Member Wever further requested changing the agreement so that the first payment would ~~be due on January 1, 2001 and not in January 2000~~. *not be due on January 1st due to the Holiday, but should be due 6 months from date of issue of note. (Approved by Council on 7/3/00 _____).* Council Member Johnston requested that the bank name also be corrected to Sun Trust Bank.

Public Works Projects

Director Pierce reported that the water tanks and drinking water plants are being worked on currently. They should be automated by next week.

Croom Road Demolition is on hold until the City can purchase safety equipment for the lead paint, according to Pierce.

Phase I is on the final change order and all City utility work is completed on Jasmine Drive.

CITIZEN'S INPUT

None

ITEMS BY COUNCIL MEMBERS

JOSEPH E. JOHNSTON, III, COUNCIL MEMBER

Engineering Problems

Council Member Johnston felt that when the City hires a Consultant they are representing the City and they should insist on specificity on these contracts. The City should hold the Contractors responsible for these cost overruns. He requested that Staff look at amending future specifications and contract documents requiring this.

Quarry Golf Course Status

Council Member Johnston inquired about the status of the golf course operations following Council's recent waivers granted to Mr. Mallek. The City Manager advised that he had written a notification letter to Mr. Mallek, further

attempting to clarify the escrow deposit provision for the taxes although he has not yet received a response. He pointed out that at Mr. Mallek's request he has been holding a check in the amount of \$12,000, waiting for a replacement letter of credit. Council instructed the City Manager to deposit the check.

E.E. WEVER, JR., COUNCIL MEMBER

Jerome Brown Community Center

Council Member Wever had some concerns about safety issues relating to the areas around the goals and requested that this be looked at.

Suncoast League Mini Conference

Council Member Wever advised the conference was on Cooperation between Cities and the Education System and stated that the City is already doing a lot of the items that were mentioned.

He requested that Florida League of Cities Meeting is in August 2000 and the City should elect its voting delegate at the next meeting.

He also advised that he was elected Vice-President of the Suncoast League and will be President next year and recommended that the budget will need to be increased next year for meetings and these type of expenses.

PHCC Agreement

Council Member Wever inquired about the status of the Wellfield Agreement. Director of Public Works stated that PHCC added some conditions and the Engineer, Len Tria, was going to let PHCC know we were not negotiating.

Porter Property - Highland and Howell Avenue

Council Member Wever would like the City right-of-way to be cleaned up in this area.

Report on Legal Fees

Council Member Wever reminded the City Attorney and Finance Director he needed the legal fees back on the schedule he had given them, so that he can bring back to next meeting.

MARY A. STAIB, MAYOR

Porter Property

Mayor Staib was concerned about the Code Enforcement problems at this location. The City Attorney stated that Code Enforcement can cite them and go through the County Court System. He'll work with the Chief.

Fireworks

Mayor Staib indicated that she hoped the City was not allowing Firework Permits, which was confirmed.

ROBERT B. BATTISTA, CITY ATTORNEY

Providence Road - Frontage Road

City Attorney advised that he had spoken with ARM Appraisals and they are proceeding with numbers for the City to use for the property owners. This should be complete in a week and he would discuss with the City Manager once available.

Mr. Wever inquired about drafting an inter-local agreement with the County because of the multi-jurisdictional patch

work as we go along this road. City Attorney confirmed that he will be drafting this agreement.

KAREN M. PHILLIPS, CMC, DIRECTOR OF ADMINISTRATION

Movie Possibility

Director of Administration stated that Sue Rupe, Hernando County Tourism, stopped by for some pictures of Downtown Brooksville. There is a movie company that likes the area and if Brooksville is chosen they will film some scenes here in July.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:50 p.m.

City Clerk

ATTEST:

Mayor

:bg

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REGULAR COUNCIL MEETING

May 21, 2001

7:00 P.M.

Brooksville City Council met in regular session with Mayor Joseph E. Johnston, III, E.E. Wever, Jr., Vice Mayor, and Council Members Richard Lewis and Mary A. Staib, present. Also present were William B. Eppley, Interim, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; B.J. Coryer, Director of Finance; Karen M. Phillips, CMC, Director of Administration; Emory Pierce, P.E., Director of Public Works; and Boyce E. Tincher, Police Chief. A member of the St. Pete Times (7:10 p.m.) was also in attendance.

The meeting was called to order by Mayor Johnston, followed by the invocation and pledge of allegiance.

Mayor Johnston advised that approval for a Local Law Enforcement Block Grant needed to be added to the agenda.

CONSENT AGENDA

Minutes:

May 21, 2001

Contract - City Attorney

One year retainer contract of \$2000.00 per month for up to 20 hours. \$100.00 per hour thereafter.

Auction

- a. Declare additional police vehicles surplus
- b. Piggyback on County Auction Contract

Motion:

Motion was made by Lewis and seconded by Bernardini to approve the June 18, 2001 Consent Agenda. Motion carried 5-0.

D. CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

1. Presentation to Council - Hernando County Fine Arts Council

Appreciation for support.

Presentation: Fine Arts Chairman

Attachment: None

need name of speaker

rl - would like to support the request for 10 years into the future.

Jej - we have a consensus of that commitment but don't believe we need to do anything formally at this time.

However, wshould that need to be done, we can put it on a future agenda.

Proclamation - "Investing in Communities Day"

Proclaiming June 22, 2001 as "Investing in Communities" Day.

Mayor read proclamation, which would be sent to the receipient.

EEW - SEND COPY TO....

E. PUBLIC HEARING

**** 1. Ordinance No. 616 - Zoning Map/Adoption of "Digital Electronic" Version & Policy No. 1-2001**

Consideration of ordinance adopting digital electronic file version of the zoning map, together with official policy for maintenance of the map. [First Reading 6/4/01]

There was no one to take oath to speak on ordinance.

City clerk read ordinance No. 616 by headnote only, as follows:

Motion:

Motion was made by Lewis and seconded by Staib to approve Second and Final Reading of Ordinance No. 616.

Council Members indicated that they had no contact from anyone regarding this issue.

B

I

s

w

j

Motion carried 5-0.

Policy 1-2001.

Ms. Jb

Motion carrid 5-0.

**** 2. Ordinance Nos. 617 & 618 - Proposed Annexation and Zoning - 9021 McIntyre Road: Petitioner - James Carlson**

a. Annexation Ordinance No. 617

Consideration of Request for Annexation (to be effective ten (10) days after adoption). [First Reading 6/4/01]

b. Zoning Ordinance No. 618

Consideration of C-2 Commercial Zoning (to be effective upon adoption of an amendment to the Future Land Use Element of the Comprehensive Plan) [First Reading 6/4/01]

cloverleaf addressing question,

490 - trail.

618 - RI, ms

s

b

l

w

j

motion carried 5-0.

Ordinance No. 619 - Frontage Road Standards

Consideration of proposed requirements and standards for frontage roads. [First Reading 6/4/01]

City Clerk read the ordinance by headnote only as follows:

ew, ms,

James adams came forward....county does it upon demonstration of need the developer has to put it in. Is this saying money from the developer up front will be required. Bill geiger - yes, if the demonstration of need is not demonstration is not within 10 years, then the money will be returned.

Times - 7:20

ja - also have wondered that when a frontage road is required and there is not easement there and there is an accident from use of the frontage road, who would have the liability? The property owner? David l. - liability depends on if there is a charge of negligence, such as on the upkeep of the road. 740.

rl - are you asking about your property on the truck-by pass. Ja - yes, but do represent other clients that may be affected.

Ja - would encourage council that when best you can, to preliminary design these.

B

l

s

w

j

5-0.

REGULAR AGENDA

Resolution No. 2001-10 - WRWSA Grant Application

Authorization of grant application to Withlacoochee Regional Water Supply Authority for Hope Hill Wellfield Project.

City clerk read the resolution by headnote only, as follows:

rl, ms

ew - are you going to present this at the meeting Wednesday. Ep - no, I am going to mail it up there with a narrative. Ew - I can take it to the board meeting. Make sure to included the ----

l

s

b

w

j

5-0

Utility Service Extension Plan

Authorize negotiation for engineering design and permitting phase of Water Extension Agreement with Coastal Engineering Associates, Inc. - Wiscon (from S. Broad to Cortez), and Cortez (from Wiscon to Cobb Road)

We are all aware of the potential for the hospital to move. It would be greatly beneficial to keep it within easy distance to the city of brooksville and that the city is willing to extend water and sewer to the site they are considering. Enter into contract with cea to desitgn and permit n ecessary water and sewer facilities. These costs would be around \$50,000. Detailed scope of work to be brought back to council.

Could be true that we would spend \$50,000 then the hospital would move, could cancel the contract immediatly but pay the engineer whatever is owed. Unfortunately, could spend the entire 50,000 before a decision about the hospital move is final.

The potential is there for the hospital to be annexed.

Jej- this loop is a part of long range planning anyway. Rea - it would make us 2 years ahead.

Scope of work would include verifying any right of way that may need to be acquired. Ms - expect any future development - ep - yes, all vacant land. Ms - still need the elevated storage if the hospital goes there - ep - yes, but not immediatly needed even for hospital. Could be done in another phase.

Jej - is that 100% report down on water/sewer line extension project. Rea - yes, you will be getting in a couple days. We can bring that back at the next meeting or the one following. 1320.

jb, rl. Design and permitting of state road 50 west.

Residential Street Design

a. Consideration of proposed Neighborhood Traffic Management Program Policy No. 2-2001 (alternate residential street design policy)

b. Candlelight Blvd. - Traffic Management Plan

Authorization to install raised intersections at Candlelight/ Moonlight Lane and Candlelight/Erin Way.

c. Proposed Neighborhood Watch Program Status Report

jb - on that policy, would it be permissible to table so that I can sit down with new city attorney.

jb - make a motion to table a and b til the next meeting.

rl - second.

Jeje- will not be here for next meeting. I will give input to staff. Rea - defer B too? Jej - yes.

Police chief - still getting volunteers organized. Received only one application. Ms - excellent idea - recruitment drive. Ms - what seems to be the problem in the North Ave. neighborhood. May be some interest in a downtown criminal watch organization.

Fire/Security Alarm - Monitoring System

Consideration of award to Siemens Building Technologies, Inc., for alarm monitoring at \$630.00 per year.

Proceed with one year contract and continue to look into the option for the city to do the monitoring. Instead of holding up project.

ms, ew - going to have to pay for a dedicated phone line....dial up instead of a dedicated line.

additional expense for this....1700.

5-0.

Old Brooksville Hospital Property - Broad Street and Mildred

Status report on pending sale.

Status report that the county is proceeding with the proposed sale of the property. Now a single proposal that staff is recommending approval. Small retail, convenience store or professional offices. County to Use of proceeds set to be used for a specific purpose. Not interested in donating all or part of it to the city for a park or creative trade purpose. 185,000.

FLC Annual Conference/Voting Delegate

Designation of Council Member to serve as voting delegate to Florida League of Cities Annual Conference August 23-25, 2001.

Jej - suggest that wever be the voting delegate.

Motion:

Motion was made by Bernardini and seconded by Lewis to appoint Wever as the voting delegate and Staib as the alternate at the Annual Conference in August. Motion carried 5-0.

FDOT Claim (Delay Issue)

U.S. 41/S.R. 50 - Settlement - Status report

pierce, unfortunately, fdot meeting had to be cancelled. Nothing new. Ep and rea to come up with counteroffer if nothing new by July.

CITIZEN'S INPUT

Ray Henderson

need hand out.\

I got this letter from City of Brooksville regarding culvert behind his house on an easement. Never had any relief from flooding.

Petition.

Staff to bring back what the proposal is at the next meeting. Ep - long standing problem ...

RI - approach hardy's bring back to the next meeting.

Jb- possibility Make a mailing to utility customers about easements and building on it...

Jej - staff to notify Mr. Henderson of when it will be discussed.

ITEMS BY COUNCIL MEMBERS

ms - 75/50 - growing in median. Beautification board considering things to put in such as peanut grass. Rea to research adriatic jasmine.

weed killer needed.

Rusty hydrants are unacceptable.

Jb - call about the interlocal agreement - rea - 6 years ago intered into an agreement with the county for gasoline tax. Meet with county administators office. What was presented was slightly different than their discussions. Have not followed up on it. May have to have a special meeting on this to meet deadline. 2929 - details of agreement. Bring something back to council in the next few days.

Jb - could we put it on the agenda to authorize the mayor and city manager to negotiate. If not possible, then a reasonable amount for payment up to 5,000.

Jb - ms - motion to add to the agenda.

5-0.

Jb - rl - authority city manager and mayor.....to enter into negotiations.

5-0.

Ew - Need to pave Howell ave.

Eew - research on traffic control committees - crystal river police chief - copy of contract - gave to city manager. Next meeting or meeting thereafter.

David Iacroy - happy to be on board.

Kp - Council get pens.

Jej - liberty street and brooksville ave. Barricade in middle of streets. Ep - fixing pot hole. Ran short of labor. Next week putting crew back there.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:24__ p.m.

City Clerk

ATTEST:

Mayor

:jjb G:\Web\minutes\06-18-00mtg.htm]

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REGULAR COUNCIL MEETING

June 19, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Lee Huffstutler, Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher, Police Chief.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA*

City Council Minutes:

May 17, 2000

Motion:

Motion made by Johnston seconded by Lewis to approve Consent Agenda.

Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Margaret Ghiotto Residential Beautification Award

Recognition of improvements made to residence located at 1044 Howell Avenue owned by James and Rosemarie George.

Mayor Staib awarded James and Rosemarie George with the Margaret Ghiotto Residential Beautification Award for the above property.

PUBLIC HEARING

Ordinance No. 525-C - Firefighters Pension

Consideration of Ordinance to incorporate proposed amendments to plan pursuant to recent Chapter 99-1 legislation. [First Reading on 6/5/00]

Headnote read by Karen Phillips, as follows:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, ENACTING INTO LAW AN AMENDED AND RESTATED PENSION PLAN FOR FIREFIGHTERS, PROVIDING FOR A REVISED FIREFIGHTERS' RETIREMENT TRUST FUND; PROVIDING FOR DEFINITIONS;

PROVIDING FOR MEMBERSHIP; PROVIDING FOR A BOARD OF TRUSTEES; PROVIDING FOR FINANCES AND FUND MANAGEMENT; PROVIDING FOR CONTRIBUTIONS; PROVIDING FOR BENEFIT AMOUNTS AND ELIGIBILITY; PROVIDING FOR PRE-RETIREMENT DEATH BENEFITS; PROVIDING FOR DISABILITY BENEFITS; PROVIDING FOR VESTING OF BENEFITS; PROVIDING OPTIONAL FORMS OF BENEFITS; PROVIDING FOR BENEFICIARIES; PROVIDING CLAIMS PROCEDURES; PROVIDING FOR REPORTS TO THE DIVISION OF RETIREMENT; PROVIDING FOR A ROSTER OF RETIREES; DELETING BOARD ATTORNEY AND PROFESSIONALS; PROVIDING FOR A MAXIMUM PENSION LIMITATION; PROVIDING FOR DISTRIBUTION OF BENEFITS; PROVIDING MISCELLANEOUS PROVISIONS; PROVIDING FOR REPEAL OR TERMINATION OF THE SYSTEM; PROVIDING FOR EXEMPTION FROM EXECUTION AND NON-ASSIGN ABILITY; PROVIDING FOR PENSION VALIDITY; PROVIDING FOR FORFEITURE OF PENSION UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR CONVICTION AND FORFEITURE, FALSE, MISLEADING OR FRAUDULENT STATEMENTS; PROVIDING FOR INDEMNIFICATION AND DEFENSE OF CLAIMS; PROVIDING FOR DIRECT TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS; PROVIDING FOR PURCHASE OF CREDIT FOR MILITARY SERVICE PRIOR TO EMPLOYMENT; PROVIDING FOR BI-ANNUAL REVIEW OF STATUS OF RETIREES AND BENEFICIARIES; PROVIDING FOR THE PURCHASE OF CREDITED SERVICE FOR ABSENCES PURSUANT TO THE FAMILY AND MEDICAL LEAVE ACT; PROVIDING FOR A DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE."

Scott Christianson, Attorney for the Firefighters Pension Board was available for any questions.

Motion:

Motion made by Wever seconded by Johnston to approve final reading of Ordinance 525-C.

There was no input by Citizens.

Motion carried 5-0 upon roll call vote.

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

Ordinance No. 525-D - Firefighters Pension - Proposed Benefit Increase

Consideration of Ordinance amendment increasing benefit payments 10% plus 3% per year for age 55 to 65. [First Reading on 6/5/00]

City Clerk Phillips read Headnote.

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, AMENDING ORDINANCE NO. 525-C, ADOPTING THE AMENDED AND RESTATED FIREFIGHTERS' RETIREMENT TRUST FUND; AMENDING SECTION 6, BENEFIT AMOUNTS AND ELIGIBILITY, TO PROVIDE FOR A COST OF LIVING ADJUSTMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE."

Vice Mayor Brayton stated he was not sure he agreed with a 10% increase in Cola. He would like to see Council delete item 5A and questioned whether the date of January 1,1999 is correct in subsection B. The last sentence in this paragraph states there is no retroactive adjustments. Vice Mayor Brayton felt this should be clarified. In subsection B he is in favor of an automatic adjustment but he disagreed with an age limit of 65. Scott Christensen indicated it was due to the cost. Vice Mayor Brayton suggested having one section here for a cost of living adjustment up to 3 percent annually based on those monies available from the increased insurance premiums that are required to be utilized for additional benefits and the age limit of 65 be removed. He would like Council to strongly consider tabling this item and re-working it not spending the one time 10% COLA and not relying on those additional funds that are going to come down on an annual basis up to a certain percentage so that everyone can continue to get these COLA's regardless of age.

Attorney Scott Christiansen stated that this provides a 10% increase for

all those over age 65 because these individuals would not be getting the annual 3% and would be receiving annual increases in social security.

Vice Mayor Brayton felt everyone should have the same COLA even if it needs to be reduced to under 3% regardless of age and not give a 10% one time increase.

Mayor Staib asked if the State money would be lost if this item is tabled. Attorney Christensen stated he felt it would be lost.

Council Member Lewis agreed that the COLA should continue after age 65 and that the plan should not be set at 3% but be based on the amount of money that is available from the State for improved benefits.

Attorney Christiansen pointed out that the Board may not want all existing monies spent on COLA's. The Board may want to include other benefits. The City's 5% should also be included because the members are also putting money in for a cushion.

Council Member Wever stated that not all pension plans have a cost of living increase in them. He did not like the term COLA but agreed that all the money in there should be used for additional benefits. It may need a formula to put aside a reserve amount, but he doesn't like to see the money sit there not being used as a benefit for the people.

Council Member Lewis further inquired if the State money is all spent on COLA's wouldn't the 5% the City is putting in be a cushion or be used for additional benefits? Attorney Christiansen said he did not think the Board would like to see all of the State money wrapped up in COLA's. There may be other benefits that could benefit current Firefighters.

Council Member Lewis asked if Attorney Christiansen's opinion was that the State money would be lost if not allocated by July 1st. Attorney Christiansen answered he thought the money would be frozen effective July 1st and that a plan would have to be in place in the next 6 months in order for the Firefighters Pension not to lose the State allocated money.

The Mayor addressed the public and asked if anyone had a comment. Finance Director Huffstutler said that the cost of the proposal exceeds what is required by the law. The law requires spending \$17,000 and the Board is proposing to spend \$27,000. Finance Director Huffstutler is concerned the other retirees from the City, Police Officers and General Employees are going to say the City paid more than it had to on the Firefighters and want the same. He asked our Independent Actuary what the cost of 10% and 3% would be. The Actuary stated the cost of the 10% is \$1,500.00. If that was thrown out it would still be \$25,000.

Finance Director Huffstutler stated that in 1995 the City was contributing 14.4%. They then changed some of the actuarial assumptions changing the life expectancy and that made it go up to what would have been 20% or more. The Fund had a good run in the market where the assumption was 8% the City made 16% and the money doubled enabling it to go down instead of up. The distribution to retirees has risen 125% in the last two years and more retirees on the horizon. He agreed with Vice Mayor Brayton that the City should fund the benefits as much as the State money allows. The City contributes 5% to this fund every year and makes up part of the surplus. One alternative is to drop the City's

contribution. If the City does not have to contribute why is it, if the fund is fully funded.

Council Member Wever asked if the Statutes stated we have to give the same rate of money as we pay all employees and if so the City cannot bring the contributions to zero. Lee Huffstutler replied that the State requires the City match what is distributed to general employees. The City's new employees are funded at 8%. The new employees do not receive contributions until they are here 6 months so they receive 4%, and they only get it on their base pay. The firefighters receive it on overtime, incentive pay or sick buy out. Part time general employees do not participate in our defined contribution plan but part time firefighters do participate.

Council Member Wever inquired if the City adopts what is brought to Council, when could it be adjusted if it needs to be changed? Attorney Christiansen indicated the 10% increase to those over 65 could be taken back once it is given, the 3% to be extended out and not stop at 65 could be changed at any time. Once someone retires you can not change what they are vested at so between now and the time the change is made, if someone retired they would get the 10 year program that stops at 65 but Council could approve changes from that time forward.

No further public input.

Motion:

Motion was made by Johnston and seconded by Wever to approve final reading of Ordinance 525-D with a change of date to January 1, 2000.

Motion carried 4-1 by the following roll call vote,

Johnston Aye

Lewis Aye

Wever Aye

Brayton Nay

Staib Aye

Council agreed they want to continue to look at this and not cap out at age 65. Council would like to see more detail information. Attorney Christiansen said he would bring it back to the Board and Actuary and come back to Council. Council Member Wever asked if our Actuary could look at this also and Finance Director Huffstutler said absolutely.

Ordinance No. 552-B - Police Pension

Consideration of Ordinance to incorporate proposed amendments to plan pursuant to recent Chapter 99-1 legislation.[First Reading on 6/5/00]

City Clerk Phillips read Headnote.

"AN ORDINANCE OF CITY COUNCIL OF THE CITY OF BROOKSVILLE; AMENDING THE RETIREMENT PLAN AND TRUST FOR THE POLICE OFFICERS OF THE CITY OF BROOKSVILLE; AMENDING ARTICLE TEN PROVIDING FOR OPTIONAL FORMS OF BENEFITS; ADDING A NEW PROVISION PROVIDING FOR PENALTIES FOR FALSE OR MISLEADING STATEMENTS MADE TO OBTAIN RETIREMENT BENEFITS; PROVIDING FOR CONFLICT, SEVERABILITY, AND PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE."

Joseph Quinn, Chairman of the Police Pension Trust Fund Board was present for any questions. Mr. Quinn stated the Police Pension Trust Fund is proposing an Ordinance to amend the PPTF Plan in accordance with State requirements that have to be enacted by July 1st of this year.

City Clerk Phillips advised that the Board is looking at other plan amendments to modify their plan, but to meet the July 1st requirements they are proposing this Ordinance now.

There was no public input.

Motion:

Motion made by Brayton and seconded by Lewis to approve final reading of Ordinance No. 552-B. Upon roll call vote the motion passed 5-0.

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

Emergency Ordinance No. 611 - Ban Fireworks

First and Final Reading of Emergency Ordinance No. 611 prohibiting the sale and use of fireworks.

City Clerk Phillips read Emergency Ordinance No. 611 by headnote, as follows:

"AN EMERGENCY ORDINANCE OF THE CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA; PROVIDING FOR THE PROHIBITION OF THE SALE AND USE OF FIREWORKS AND SPARKLERS AS DEFINED BY FLORIDA STATUTES; PROVIDING FOR TITLE, PROVIDING FOR ENACTMENT AND AUTHORITY; PROVIDING FOR EMERGENCY WAIVER OF NOTICE; PROVIDING FOR JURISDICTION; PROVIDING FOR PENALTIES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE."

City Clerk Phillips indicated this was advertised in the paper as an emergency ordinance and it has a life of 60 days unless it is re-enacted or the declaration of drought conditions are repealed by the Governor's Office.

Vice Mayor Brayton stated that Hernando County has dropped way below in the drought situation and other Counties are lifting their bans this week. Chief Daugherty said there was a meeting with other Fire Chiefs in the County about raising the burn ban. As of today they are still banning burning. Chief Daugherty did not recommend lifting the burning ban.

There was no Public Input.

Motion:

Motion made by Lewis seconded by Wever to approve Emergency Ordinance No. 611. Upon roll call vote the motion passed 3-2 with Johnston and Brayton voting in opposition.

Johnston Nay

Lewis Aye

Wever Aye

Brayton Nay

Staib Aye

REGULAR AGENDA

Resolution 2000-12 or Ordinance 539A - Irrigation Schedule

Consideration of implementing Resolution or Ordinance Amendment to comply with SWFWMD watering restrictions.

There was no Public Input.

Motion:

Motion by Brayton seconded by Johnston to approve attachment 3A per memo dated June 15, 2000 from City Manager Resolution 2000-12, attachment 3A, 5 day schedule.

City Clerk read Headnote for Resolution 2000-12:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA, REPEALING RESOLUTION NO. 94-9, SETTING WATER USE RESTRICTIONS PURSUANT TO CITY OF BROOKSVILLE ORDINANCE NO. 539, INCORPORATING THE RESTRICTIONS CURRENTLY PROMULGATED BY THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT."

Upon Roll Call vote Council approved 3-2, as follows:

Johnston Aye

Lewis Aye

Wever Nay

Brayton Aye

Staib Nay

Resolution #2000-13 - Fire Truck Financing

Consideration of Resolution (5 yrs. @ 5.5% or 10 yrs. @ 6.7%) to finance new fire truck, pledging telephone and cable franchise fee revenue, and authorizing Mayor to execute loan documents. (Continued from 6/5/00 meeting.)

Council Member Wever indicated that he did not agree with either one of these resolutions based on the amortization schedules which shows the incorrect monthly compounding of the interest. Further, the note states that interest would be accrued at a rate per annum of the unpaid principal balance remaining plus principal due and does not mention compounding. Council Member Wever prefers the 10 year amortization but will not vote for either one of them due to the incorrect schedules.

Vice Mayor Brayton asked if the City needs the money. If the City does not need the money now, he did not see the need to do this.

Finance Director Huffstutler stated that other entities are doing the same thing with franchise fees and he sees no problem with this as long as it is done before July 1st. He agreed Council Member Wever was correct about the amortization schedule being wrong, but it was a worst case scenario. The bank will dictate and provide us with a schedule. The City does not need the cash. Earnings are approximately 6% and the City has already paid for the vehicle.

Council Member Wever felt we should go ahead and do this, but he will not vote for this unless the amortization and payment is based on interest to date. He would like the payment date to be 6 months from date of issue rather than

January 1st and July 1st. He felt we should tie in to the phone and cable franchise fee sources of revenue, to guarantee the City will continue to get those.

Finance Director Huffstutler would like to add that there may be a deadline of July 1st.

Council Member Lewis liked the 5 years at 5.5% interest.

Motion:

Motion was made by Lewis, which was seconded by Wever to approve Resolution #2000-13 as amended to change the attachment to 5 years at 5.5% and a change in the date of 1st payment to six months from the date of issue.

City Clerk Phillip read Headnote to Resolution #2000-13.

"A RESOLUTION AUTHORIZING THE CITY OF BROOKSVILLE TO BORROW \$230,428.00 FROM THE SUNTRUST BANK FOR NECESSARY FUNDING FOR A 1999 CLASS A 1500 GPM PUMPER FIRE TRUCK TO BE UTILIZED BY THE CITY'S FIRE DEPARTMENT FOR THE CITY OF BROOKSVILLE, FLORIDA AND THE SURROUNDING FIRE DISTRICT TOWNSHIP 22 AREA."

Upon roll call vote motion passed 4-1; as follows:

Johnston Aye

Lewis Aye

Brayton Nay

Wever Aye

Staib Aye

Resolution #2000-14 - Mildred Ave. Transfer

Consideration of Resolution and proposed Roadway Transfer Agreement to transfer R-O-W of Mildred Avenue between Broad and Jefferson to FDOT.

Headnote read by City Clerk Phillips.

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA, AUTHORIZING THE EXECUTION OF A ROADWAY TRANSFER AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF BROOKSVILLE."

Motion:

Motion made by Wever seconded by Brayton to approve Resolution #2000-14.

Council Member Johnston pointed out that if the City transferred this to FDOT without anything in writing stating that FDOT will do certain things for the City, the City may be throwing away its options. He further stated that the plans he has seen so far do not meet his visions of what should be at that intersection.

Motion and second were withdrawn.

Motion:

Vice Mayor Brayton made a motion to deny the request to transfer Mildred Avenue Right Of Way seconded by Lewis.

After further discussion, motion and second were subsequently withdrawn.

Vice Mayor Brayton suggested sending the Resolution back to Staff to re-draft based on consensus of Council.

Public Works Director Pierce asked if Council wanted no extension of one-way pairs in exchange for transfer of Mildred unless approved by Council. Council agreed and added that, if there are utilities the City deems necessary to move than the City will relocate and move at FDOT's expense.

Council Member Wever stated that he would also like to see reconfirmation of the move of US 98 and SR 700 and 50 A over to 50 and to Cobb Road.

Tabled to second meeting in July 2000.

Ordinance No. 287-C - Charter Amendment Ordinance

Review of Charter Amendment Ordinance for referendum ballot on November 7, 2000 election.

City Clerk read headnote.

"AN ORDINANCE AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 287 RELATING TO THE GOVERNMENT OF THE CITY OF BROOKSVILLE; PROMULGATING, ESTABLISHING AND PROVIDING FOR A REVISED CHARTER OF THE CITY OF BROOKSVILLE; PROVIDING FOR A REFERENDUM; AND PROVIDING AN EFFECTIVE DATE."

Motion:

Motion made by Brayton and seconded by Johnston to approve final reading of Ordinance #287-C.

Council Member Wever inquired about item number 2 on the second page of the ordinance, budget over expenditures Department appropriations may not be exceeded without consent and approval of Council and transfer of additional funds from reserves contingencies or other sources. He stated that reserves contingencies is not correct.

Vice Mayor Brayton suggested adding the word "for" between reserves and contingencies and Council Agreed.

Council Member Johnston pointed out that the Agenda shows second and final reading on July 5 and stated it should be July 3, 2000.

Mayor asked for public input, none noted.

Upon roll call vote motion carried 5-0.

Wever Aye

Johnston Aye

Lewis Aye

Brayton Aye

Staib Aye

FLC Annual Conference/Voting Delegate

Designation of Council Member to serve as voting delegate to Florida League of Cities Annual Conference August 10-12, 2000.

Motion:

Motion made by Brayton seconded by Johnston to appoint Council Member Wever.

Council Member Johnston noted that there is no provision for an alternate. City Clerk pointed out that is why it is not listed on the agenda to appoint an alternate but historically the City has appointed an alternate.

Vice Mayor Brayton amended his motion to include Mary Staib as alternate. Council Member Johnston confirmed his second.

Motion carried 5-0.

Street Closure Permit Policy #1-2000

Establishing criteria including reimbursement of costs and hold harmless provisions.

City Manager Anderson stated, at the direction of Council, he prepared the Street Closure Permit Policy, which incorporates what the City currently requires for insurance and reimbursement of fees.

Motion:

Motion made by Brayton and seconded by Lewis to approve Street Closure Permit Policy #1-2000.

Council Member Johnston asked about the funds being received three days in advance. City Manager Anderson stated this is new based on recent problems the City has encountered.

After discussion Vice Mayor Brayton amended the motion to adopt policy 1-2000 with the stipulation to pay by cashiers check or cash, which Council Member Lewis concurred with.

Council Member Wever asked about increasing the liability insurance to a one million dollar policy. After discussion it was decided not to increase the liability insurance.

Motion carried 5-0.

Utility Fund

Analysis of Utility Fund, Utility Revenue Sufficiency Report, and proposed revisions to the rate schedule and rates.

Presentation by Finance Director Huffstutler indicating the need for a rate increase at 20%, based on an update of the previous rate analysis prepared by Consultant Burton and Associates.

Motion:

Motion by Brayton, seconded by Lewis, to approve Rate Proposal A (Current Rates versus Burton Structure with 20% increase) to be forwarded to USDA for approval.

Motion carried 5-0.

CITIZEN'S INPUT

No Citizen Input.

ITEMS BY COUNCIL MEMBERS

E.E. WEVER, JR. COUNCIL MEMBER

FLC 2ND Vice President - Support Nomination of Dottie Reeder, Council Member, City of Seminole.

Motion:

Motion made by Brayton and seconded by Johnston to support Dottie Reeder.

Motion carried 5-0.

East Port PDP

Proposed Project.

Council Member Wever indicated at the recent Planning and Zoning Board meeting there was a reference of the Frontage Road being extended into Candlelight. Original plans showed the Frontage Road would extend into Candlelight and he thought Council had later stopped the Frontage Road behind the Post Office. He wanted to know what Council thought of this issue. Council Member Johnston recalled that it was stopping behind the Post Office due to monetary restraints, but eventually the intent was it would tie in to Candlelight Blvd. Council Member Wever indicated that the residents of Candlelight would oppose this issue.

Council Member Wever indicated the plan for the Frontage Road included water and sewer. The proposed plan mentions a lift station, and he wondered if it was necessary or can it be tied into the master lift station near the Grubbs property, and share the costs? Director of Public Works Pierce stated the Developer would have to come back with Engineering Plans. He is not sure there is enough elevation to support a gravity flow to the master lift station. The comment was put on the plans as a warning to the Developer a gravity sewer may not be feasible.

Council Member Lewis stated that the Post Office currently pumps wastewater into the transmission line because there is no gravity lines.

Council Member Wever asked Community Development Director Geiger whether the 10 day appeal process referenced in his memo was mentioned to the people in the audience after the hearing was completed? Community Development Director Geiger replied that he spoke with a few individuals who had concerns and told them of the 10 day appeal process. No formal announcement was made at the meeting but everyone is put on notice of the appeal process in fine print on the bottom of the Agenda.

Vehicle Replacement Fund

Council Member Wever requested that this be addressed at the next meeting.

Robert Woods Lawsuit

Wever inquired whether the insurance company had been notified of the claim, which was confirmed.

Candlelight Blvd.

Council Member Wever felt there was still a problem with the survey of the SW corner and that the City should resurvey eliminating the portion which has been vacated. Following Council discussion staff was directed to contact surveyor to determine if he was aware of vacation and would resurvey at his expense due to error.

Suncoast League of Cities

Council Member Wever notified that although the City of Brooksville is hosting a SLM in October this year, it would not be doing one the following year.

JOSEPH E. JOHNSTON, III, COUNCIL MEMBER

Florida Crushed Stone

He inquired as to whether or not there was an alternate method available for disposal. Director of Public Works Pierce stated the only alternatives were very costly.

MARY A. STAIB, MAYOR

S.R. 50/U.S. 41 JPA Elimination of Work

Mayor Staib questioned the memorandum received from Public Works Director Pierce regarding the JPA elimination of work. Following discussion, it was the consensus that this be placed on next agenda.

Council Member Johnston stated that due to that fact he would be unable to attend the next meeting, he was not opposed to deleting these two items referenced in the memo.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:50 p.m.

City Clerk

ATTEST:

Mayor

:bg

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SPECIAL COUNCIL MEETING

June 27, 2000 5:30 P.M.

Brooksville City Council met in special session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; Beth A. Gray, Interim Deputy City Clerk; James Daugherty, Fire Chief; and Boyce E. Tincher, Police Chief.

CALL TO ORDER

The meeting was called to order by Mayor Staib.

PUBLIC HEARING

Emergency Ordinance No. 612-Fireworks

Consideration of repeal of Emergency Ordinance #611 banning sale and use of Fireworks.

Motion:

Motion made by Brayton seconded by Johnston to approve Ordinance 612 repealing Emergency Ordinance of 611.

Headnote read by Beth Gray, Interim Deputy Clerk.

"AN EMERGENCY ORDINANCE OF THE CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA PROVIDING FOR THE REPEAL OF EMERGENCY ORDINANCE NO. 611; PROVIDING FOR TITLE; PROVIDING FOR ENACTMENT AND AUTHORITY; PROVIDING FOR EMERGENCY WAIVER OF NOTICE; PROVIDING FOR JURISDICTION; AND PROVIDING FOR AN EFFECTIVE DATE."

Council Member Johnston asked if the motion had to be made by one of the original Members who supported it since it was a reconsideration. City Attorney Battista advised that it is a separate issue and not a recommendation and the Board would determine if it is an emergency issue.

Police Chief Ed Tincher stated that there were local merchants unaware of our previous Ordinance and their shelves are stocked with Fireworks. It was determined that other merchants right outside of the City limits were permitted to sell these items and it would be a hardship on local merchants if they had to take the merchandise off the shelves. Chief Tincher indicated that he had asked City Manager Anderson to address this as he felt it was awkward to enforce this Ordinance. Further he stated that the Governor would be lifting the state wide burn ban on June 28.

Vice Mayor Brayton withdrew his motion due to Council Member Johnston's previous questions.

Motion:

Motion made by Lewis seconded by Wever for the adoption of Emergency Ordinance #612.

Fire Chief Daugherty indicated he was in support of the Emergency Ordinance #612. There was no further public input.

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

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

JOSEPH E. JOHNSTON, III, COUNCIL MEMBER

Public Transit

Before he voted on the subject as an MPO member, Council Member Johnston wanted to make sure Council was in agreement with the latest public transit plans of the County, as long as the City did not have to give additional funds. Council concurred that it was in agreement.

ROBERT B. BATTISTA, CITY ATTORNEY

Smith & Company Contractors

City Attorney Battista stated he has been in contact with people who could be considered special counsel in regards to the ongoing disputes with the FDOT Contractor. Currently there is no pending litigation, but he is getting prepared. In addition the City Manager wanted Council to know there may be an item on Monday's Agenda proposing that the City retain additional consulting services.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 5:42 p.m.

Interim Deputy City Clerk

ATTEST:

Mayor

:bg

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REGULAR COUNCIL MEETING

July 3, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Lee Huffstutler, Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; Boyce E. Tincher, Police Chief and a representative of the Times.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA*

City Council Minutes:

June 5, 2000

Park and Recreation Program and Activity Agreements

Consideration of authorizing Park and Recreation Director to execute agreements with independent contractors to provide craft, sports, art, and other programs in City's Facilities.

Council Member Wever requested moving item two to the regular agenda for discussion. Also, he noted on page 10 of the minutes the reference to the first payment being due on the 1st of January he had indicated it should be 6 months from date of issue of note.

Motion:

Motion made by Lewis and seconded by Brayton to move item (2) to regular agenda and approve minutes with changes noted.

Motion passed 4-0.

PUBLIC HEARING

Ordinance No. 287-C - Charter Amendment Ordinance

Review of Charter Amendment Ordinance for referendum ballot on November 7, 2000 election. [First Reading on 6/19/00]

Headnote read by City Clerk Phillips

"AN ORDINANCE AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 287 RELATING TO THE GOVERNMENT OF THE CITY OF BROOKSVILLE; PROMULGATING, ESTABLISHING AND

PROVIDING FOR A REVISED CHARTER OF THE CITY OF BROOKSVILLE; PROVIDING FOR A REFERENDUM; AND PROVIDING AN EFFECTIVE DATE."

Motion:

Motion made by Lewis and seconded by Brayton to approve Ordinance #287-C.

There being no discussion or citizen input, 4-0 roll call vote as follows:

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

REGULAR AGENDA

Park and Recreation Program and Activity Agreements

This item was moved from the Consent Agenda.

Council Member Wever pointed out that the first paragraph on page 2, implies children and he felt the form should be more generic so that it includes everyone. Additionally, item I should not be limited to said building and should include other facilities like cleaning around bleachers, in the press boxes, etc.

Mayor Staib would like to see photo identification and finger prints of anyone working with children.

City Attorney Battista stated it could be added to the Agreement or could be a separate policy.

Council Member Wever pointed out that in Item F there may be some participants that are minors that would not be able to fill out the evaluation forms. It was the concession that the form should say "may" instead of will.

Council requested this item be tabled until next meeting.

Resolution 2000-15 - Charter Amendments

Resolution authorizing ministerial Charter Amendments as recommended by the Charter Review Committee (CRC).

Headnote read by City Clerk Phillips as follows:

"A RESOLUTION AUTHORIZING THE CITY OF BROOKSVILLE TO MAKE CERTAIN CHANGES IN THE EXISTING CITY CHARTER AS PROVIDED AND TO DIRECT CERTAIN CHANGES AS SET FORTH HEREIN."

There was no discussion or public input.

Motion:

Motion made by Brayton seconded by Lewis to approve Resolution 2000-15.

Motion carried 4-0 by the following Roll Call vote:

Wever Aye

Lewis Aye

Brayton Aye

Staib Aye

Resolution 2000-16 Retirement of Terry Chapman

Resolution honoring over 15 years of service by Police Captain Terry Chapman.

Police Chief Tincher asked that this wait until Terry Chapman arrives. Mayor approved.

Council Member Brayton asked that the Resolution be changed to say Adopted in Regular Session instead of Special Session. City Clerk Phillips stated she would correct and that there will be another ceremony in which he will be presented with the new copy of the Resolution.

Certificate of Taxable Value

Presentation of Taxable Value and determination of maximum 2000-2001 millage rate for Certification to County Tax Appraiser.

Director of Finance Huffstutler stated that the millage has typically been set at 10 and advised that it can be lowered but can not be raised at a later date.

Motion:

Motion made by Brayton seconded by Lewis to approve tentative millage rate of 10 for budgetary purposes.

Motion carried 4-0.

Council Member Brayton stated that the decrease is minimal. He inquired if the current budget was being proposed at 8 or 8.0536. City Manager indicated it was at 8.

Quarry Golf Course

Review of option to continue the operation by City Staff or lease facility.

Parks and Recreation Director Pugh asked Council's direction on how to proceed with the Quarry Golf Course. Currently, the Parks and Recreation staff is operating the course. Mayor Staib asked what Impact Golf actually owned. Parks and Recreation Director Pugh stated he did not think they currently owned anything at the Golf Course. They leased a lot of the equipment that is still there. The vendors have been contacted and will be removing that equipment.

Council Member Brayton stated that for the short term the City should manage the course, but he would like to see the City go out for privatization.

Parks and Recreation Director Pugh indicated that he would like to operate the Golf Course and get it stable. He reported that the course had a very good turn out today, but most golfers were paid memberships to the previous management. This is an issue that will need to be discussed with the City Attorney.

Mayor Staib asked if we kept the same personnel. Parks and Recreation Director Pugh stated the previous employees left due to the change in management. Currently, the Parks and Recreation staff is maintaining the course and the course is open for business.

Council Member Wever recommended operating the Golf Course under a separate cost summary in the Parks and Recreation Department. He would like to set up a budget for next year and look into leasing it. If leasing does not work out the City can continue to operate it.

Motion:

Motion made by Wever seconded by Lewis to authorize the operation of the Golf Course by the Parks and Recreation Department with a separate cost item in the Departments budget.

Motion carried by 4-0 vote.

Motion:

Motion made by Wever seconded by Lewis to prepare a budget in the next fiscal year for the Parks and Recreation Division to include a separate cost center for the Golf Course Operation similar to Jerome Brown Community Center and advertise for lease.

Vice Mayor Brayton stated he would like to see it budgeted as an Enterprise Fund in case it was not leased since it was in operation to make money. Director of Park and Recreation David Pugh stated if the Quarry was going to be an Enterprise Fund he would like to see the money it made in the past be given as start up Capital. He would prefer to have it as part of the Parks and Recreation Division as he could then use his entire staff. Vice Mayor Brayton pointed out if it is run under Parks and Recreation the funds that are generated by the Golf Course will go in the general fund if it is part of the Parks and Recreation Department.

Motion passed 4-0.

Council Member Wever asked about the check that was held for tax escrow. City Manager Anderson answered that the bank returned it. The Property Appraiser has not yet put the taxes on the roll. Council Member Lewis asked if an inventory had been done. Parks Director David Pugh stated yes, and there seemed to be no problems except that there were a lot of memberships sold.

Council Member Wever inquired if there was a credit check on the applicants in previous advertisement to lease. City Manager Anderson was not sure if there was one in the RFP but the City did obtain a credit check.

Racquetball Courts

Acceptance of FRDAP Grant Award in the amount of \$112,500 for Racquetball Court Relocation Project at Tom Varn Park.

Motion:

Motion made by Brayton seconded by Lewis to approve.

Parks and Recreation Director David Pugh added this is not only the Racquetball Court but it will also renovate the Youth Field #2.

Motion passed 4-0.

Resolution 2000-16 Retirement of Terry Chapman

Return to Resolution 2000-16.

Resolution read in its entirety by City Clerk Karen Phillips.

Motion:

Motion made by Lewis seconded by Brayton to adopt Resolution #2000-16.

Police Chief Tincher hoped that everyone in the room had the opportunity to work with someone of Terry Chapman's

character in their life time and praised Terry Chapman's work ethic.

Finance Director Lee Huffstutler added that Terry Chapman was a great man and would be sorely missed.

Parks Director David Pugh stated it had been an honor to work with Terry Chapman for the past 15 years. Terry was always willing to help with the children, the Golf Course and other Parks activities.

Motion approved 4-0 by the following Roll Call Vote:

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

Terry Chapman thanked everyone.

S.R. 50/U.S. 41 JPA Change in Scope of work

- o Consideration of eliminating extension of a 12" sewer connection across S.R. 50 near U.S. 41 intersection.

Director of Public Works Emory Pierce stated this 12" sewer connection was added to give the City a connection going out to U.S. 41. This was not given to FDOT in time to get in the original contract. He stated this is going to cost the City considerable extra money to put this crossing in, approximately \$42,000 for the pipe work. Director Pierce recommended that this should be eliminated and staff will find another way to cross U.S. 41 when the City needs to.

The new 12" sewer connection crosses near the Quarry. There is an 18" gravity sewer that passes right by it on U.S. 41. City staff can do a tap and a valve and make an interconnection when it is installed in the next 90 to 180 days. If there was a break in the Quarry Golf Course or anywhere behind, it can be pumped by gravity into the 50 Lift Station and then pumped out to Cobb Road according to Pierce. If a break occurred between Hale Avenue and S.R. 50 intersection and U.S. 41, however, there is not a bypass for that. The City would have to make quick repairs as occurs with any other force main breaks.

Council Member Wever asked Director Pierce if the crossing at S.R. 50 was where it was going to cost \$10,000. Director Pierce stated that the only thing that comes to mind is the water line crossing for Turbine Solutions which was approximately \$9,000.

Council Member Wever thought it tied in to the discussion on putting a water and sewer line on South U.S. 41 for the new development. City Manager Anderson thought this was the \$10,000 figure for the water line to cross U.S. 41 at Oliver Street near the Fairgrounds.

Council Member Wever asked if the City vacated the force main line would it add pressure to the Golf Course line. Director of Public Works Emory Pierce stated no.

b. Consideration of eliminating 16" pvc force main along S.R. 50 in the vicinity of June Avenue and Sabra Drive.

Emory Pierce, Public Works Director, stated the original plan to move the sewage from the School Street Wastewater Treatment Plant to Cobb Road was along State Road 50 to State Road 50 Lift Station and continue out to Cobb Road. This was included in the original JPA. Later it was determined that Hale Avenue may be a better option. Hale Avenue has been constructed and has been operating for several months with no problems. Since then, the project has come into some cost overruns and he felt the City can now eliminate section two and reduce the time the contractor has to be on the job and the overall cost of the contract by about \$89,700.

Motion:

Motion made by Brayton and seconded by Lewis to approve items a and b.

Motion carried 4-0.

c. Consideration of appointment of Special Legal Council and "Certified Cost Consultant" to assist with dispute resolution.

City Attorney Battista indicated there had been staff discussion indicating a need to ask Council to proceed with engaging legal counsel and a specialist in this particular area. Specifically staff is asking that Council retain Jake Varn of the law firm of Fowler & White. These same attorneys represented the City in the Cheyenne Landfill issue. They were expedient in the matter and handled it quite well. The normal hourly rates are \$240.00 for Mr. Varn, but he indicated he would work with the City for \$200.00 an hour. Primarily the work will be completed out of the Tampa office at a lesser rate.

Director of Public Works Pierce stated the companion part of this request is to allow the City to engage the services of a cost consultant expert familiar with DOT procedures. Mr. Pierce advised that he was surprised at the number of people unwilling to testify against DOT. The City Attorney recently clarified this with Griner and they are quite well positioned to provide the City with some back up information for this current and future situations. City Attorney added that Mr. Varn spoke with Bill McDaniel from Griner and they agreed they did not have a problem with this. The City Attorney further stated that he felt it was more of a business stand point and not an ethical issue because most of the contractors work with FDOT. City Attorney Battista asked that Council not specifically name Griner so that he can be assured they will not have a problem with FDOT. City Manager Anderson is requesting to withdraw his second consultant indicated in his memo because since then he found they would not be appropriate. The City Manager further requested authorization from Council to allow the City Attorney and Director of Public Works to begin work with these consultants and designate an appropriate dollar amount they can work with.

Motion:

Motion made by Wever seconded by Brayton authorizing engaging the firm of Fowler & White for additional legal services with additional cost of \$5,000.

Motion passed 4-0.

Motion:

Lewis made a motion which was seconded by Brayton, authorizing staff to retain a certified cost consultant with an additional cost up to \$5,000 in conjunction with Fowler & White.

Motion carried 4-0.

Council Member Wever asked if the MPO needed to be notified of this action. City Attorney Battista stated there would be no problem telling the MPO but we are not obligated to tell them.

d. Consideration of proposal to approve up to \$175,000 for a Sewer Trunk Line and 30 Laterals.

The Director of Public Works reported that he wanted to keep the project moving and not stop the construction which could result in additional charges for the City. This amount of \$175,000 is approximately 90% of the original cost the Contractor requested. He is asking Council authorization to negotiate this amount with the Contract Manager and DOT. If this is in agreement they will submit a supplemental agreement with a unilateral pay item and tell the Contractor they must proceed with this amount of money for this work and they can make the claim later. If it comes to that later, the Attorney and Cost Consultant will be on board and we can beat most of these claims.

Council Member Wever asked if item two was an additional line or a line that was already on the plans. Director Pierce stated this line was not on the original plans. The City can either run the 8" trunk line or we have to run more sewer

laterals across 4 or 6 lanes of U.S. 41, which he felt was not practical. Only 4 of them will have to go all the way across the road. The existing lines are on both sides of U.S. 41 and crosses at one point. Even with the 8" sewer line Pierce felt they will need to still connect 4 sewer laterals but they will connect 30 or 40 feet instead of 200 feet across the right-of-way. City Manager Anderson clarified this is an alternate that was discussed previously with Council that included the by pass pumping and was the million dollar plus estimate the Contractor gave the City. By doing the by pass pumping in house and authorizing the Contractor this amount, it is reducing the City's cost. Mr. Pierce announced the Contractor wanted \$23,000 for each sewer lateral plus \$650,000 for by pass pumping. This comes to over \$1.3 million. Mr. Pierce stated that if the \$175,000 amount was approved it should make the \$1.3 million cost go away. Vice Mayor Brayton does not want to see the project slowed down. He would like to see the City proceed as quickly as possible.

Mr. Pierce further stated this additional amount can be covered by the interest we accrue on the funds on deposit.

Motion:

Motion made by Brayton seconded by Lewis to approve the submission of work for \$175,000 as recommended by Director of Public Works.

Council Member Wever stated the specs on the project included the by pass pumping and he wondered if the Contractor was trying to dispute this. Director Pierce answered the City went to the Disputes Review Board and won that in regard to the main line, but since the sewer laterals were not shown on the drawings the Disputes Review Board said the Contractor would have to be compensated for the by pass pumping of the sewer laterals.

Council Member Lewis commented that the original personnel at FDOT stated they did not want the laterals on the plans because they cluttered the plans. Now there has been a major change in staff at FDOT that feel the plans should have included the laterals. This is information he received from Director of Public Works Emory Pierce.

Motion carried 4-0.

CITIZEN'S INPUT

Lee Huffstutler, Finance Director

Human Resource Manager Position - Finance Director Lee Huffstutler presented a memo dated 6/29/00 to Council and stated that he is requesting a 5% retro assignment pay for approximately \$6,900 for duties as the Human Resources Manager which dated back to the summer of 1997. He felt that all the other department personnel have been given additional assignment pay as appropriate and he should also.

City Manager Anderson advised that the current H.R. Coordinator had recently resigned and her last day is Wednesday. His staff will handle H.R. issues temporarily. The Human Resource Manager Position has been advertised but it will take probably until September before that position is filled. Mr. Anderson stated there is a policy in effect that allows for assignment pay and he would like to research this matter.

Council Member Wever felt that this should be researched and if approved then the expense should be charged to each department on a pro rated basis.

According to Council Policy, Vice Mayor Brayton stated that since this was not an item on the agenda it could not be discussed unless voted to be added to the agenda. Mr. Anderson advised that since administrative Personnel matters are his responsibility under Charter he would prefer that Council give him the opportunity to address this and his determination would be brought back to Council.

Finance Director Huffstutler asked if Council wished for him to continue with out additional pay. City Manager indicated this would be addressed Wednesday morning. He stated that he will bring this issue back to Council at the next meeting.

Gail Samples - Call to Order Comments

Gail Samples explained that she was speaking to Parks Director Pugh about an Agenda item that was not open for public discussion and thought that the gavel would have been more appropriate to address the talking.

ITEMS BY COUNCIL MEMBERS

E.E. WEVER, JR. COUNCIL MEMBER

Vehicle Replacement Fund

Council Member Wever stated he felt this should be taken out of the Vehicle Maintenance Enterprise Fund and set up as a separate fund. He stated he did not agree with the figures in the fund and it came up short by about \$122,000. He stated further that the transfers for the approved purchase of a vehicle for the Fire Department should not have been made. He also felt that since the Public Works Director agreed not to purchase a dump truck the money should not have been transferred into the fund. His memo showed that on a cash basis beginning with the Audit figures the estimated amount that should be in there for the vehicle replacement fund is not. He does not agree to adding a premium to the replacement cost of a vehicle because the income on the investment of these funds should be sufficient over a period of 5 years to take care of any additional costs to this fund. He felt the fund is deficient when you do a cost analysis based on the purchase price of the vehicles. Council Member Wever's suggestion is to change this fund from an enterprise fund in next budget year.

Finance Director Huffstutler indicated this is an internal service fund which is similar to an enterprise fund but instead of serving customers you are serving the City. Vice Mayor Brayton did not see any problems indicated in Finance Director Huffstutler's memorandum or in the Audit Reports. Vice Mayor Brayton recommended continuing as it is. He would like to rely on the City Staff and if it is to be changed to address it at budget time. The Mayor agreed.

The City Manager stated there may be a different way to show this in the future. Council Member Wever stated the Vehicle Maintenance Fund and the Renewal and Replacement Fund are the Enterprise Funds he is talking about. He felt it was important to keep the money in reserves for the vehicle replacement fund since that was the intent. That way when it is time to replace the vehicles the money will be there. If the money is mixed with the regular Maintenance Fund the money may be used. He also felt the revenue you earned on these funds have shown they are more than sufficient to put a reserve in there for any possible increase for the cost of those funds. The City Manager agreed and indicated that the City is also not trading them in as quickly as first thought so the City can extend out the replacement schedule. He suggested City staff put a few different packages together in regards to how we track those funds and present them to Council at budget time.

Florida League Legislative Agenda

Council Member Wever reported that if the City had any items for next year's legislative session, they should be identified before October's Conference.

MARY STAIB, MAYOR

Cemetery - Cogangrass

Mayor Staib wanted to check on the treatment of Cogangrass in the Cemetery, since the Cemetery had its first treatment in February and the second treatment was now due. Parks Director Pugh will check on this item.

FDOT Road Progress Reports from Smith & Company

Mayor Staib inquired about the above status reports which she has not received recently. DPW Director Pierce addressed that they are published weekly and he will check on why they weren't being distributed to Council.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:32 p.m.

City Clerk

ATTEST:

Mayor

:bg

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REGULAR COUNCIL MEETING

July 17, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Lee Huffstutler, Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tinch, Police Chief. There was no member of the press in attendance.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA

City Council Minutes:

June 19, 2000

June 27, 2000, Special Meeting

Good Neighbor Trail Advisory Committee

Consideration of appointing Cindy Conard, Native Plant Society, to serve on the Good Neighbor Trail Advisory Committee to replace Sharon LaPlante.

Motion

Motion made by Johnston seconded by Lewis to approve Consent Agenda.

Motion passed 5-0.

PUBLIC HEARING

USDA Public Hearing

Notification of proposed action related to projects for potential funding by USDA: Phase I - Northwest Wellfield and Related Improvements; Phase II - Sewer Rehabilitation; and, Phase III - Hope Hill Wellfield and Related Improvements.

Director of Public Works Emory Pierce stated that part of the funding process for USDA requires a public hearing on the projects that are being considered. Director Pierce had posters showing the three possible projects. USDA has notified the City that it should do a dual submittal with one for the well field and one for the sewer rehabilitation. The Hope Hill wellfield is included as a backup. This project was intended to be an in-house project but due to other projects it cannot be done in house per Mr. Pierce. The City is negotiating with Coastal Engineering for the design and permitting for a couple of new wells on the new 16 acres that was deeded to the City and Director Pierce has begun

negotiations with Coastal Engineering because they are modifying the consumption use permit on the northwest Jr. College well field. If staff was involved with one and Coastal with another it would be difficult to complete the reports according to Mr. Pierce.

Council Member Wever indicated that he cannot support any of this without more information on the projects, costs, revenues needed, etc and did not appreciate seeing this in the paper as a Public Hearing before he received any information. Vice Mayor Brayton stated this is not a grant application but a public hearing to give citizens an opportunity to respond. The City has not even applied for the grants yet.

REGULAR AGENDA

Resolution 2000-17 - Referendum Ballot Questions

Resolution authorizing the Placement of the Charter Revision questions on the November 7, 2000 election ballot.

Headnote read by City Clerk Phillips:

"A RESOLUTION AND CHARTER REVISION REFERENDUM QUESTIONS DIRECTING THE CITY CLERK TO PLACE THESE CERTAIN REFERENDA QUESTIONS ON THE NOVEMBER 7, 2000 MUNICIPAL ELECTION BALLOT."

Motion:

Brayton made a motion seconded by Lewis to approve Resolution #2000-17.

Motion carried 5-0 by roll call vote.

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

Park and Recreation - Program and Activity Agreements

Consideration of agreement form with independent contractors to provide craft, sports, art, and other programs in City's Facilities, and authorizing Park and Recreation Director to execute (continued from 7/3/00 meeting).

Director of Parks and Recreation David Pugh presented the revised Agreement. Mayor Staib wanted a background check for anyone working with children. City Manager Richard Anderson said the City would do this if it all possible, but there are circumstances that the City Attorney and Police Chief Tincher advised where this could not be completed.

Council Member Wever asked the City Attorney if someone could waive their rights to liability. City Attorney Battista answered yes and that they are called Hold Harmless Agreements and the schools use them. He further stated it would be appropriate for the City to require this.

Council Member Wever inquired if 30% of the gross program fees were being charged to every activity in the Park in addition to user fees? Parks Director David Pugh stated that there will either be a user fee or a participant fee, but not both.

Motion:

Motion made by Brayton seconded by Johnston to approve the Program and Activity Agreements as presented. Passed 5-0.

Florida Municipal Pension Trust Fund - Nomination of Trustee

Nomination of elected official to serve on the Board of Trustees.

Director of Administration Karen Phillips said this is an annual event, however, in the past Council has waived nominating any individual.

Vice Mayor Brayton asked if you have to be a member of the pension fund? Director of Administration Karen Phillips will research.

Council Member Lewis nominated Vice Mayor Brayton as long as this was permissible, which nomination carried.

Quarry Golf Course Budget

Consideration of proposed budget for Quarry Golf Course (July-September, 2000)

Motion:

Motion made by Brayton and seconded by Lewis to approve the budget with monies generated going back into the general fund.

Motion passed 5-0.

Public Works Projects

Director of Public Works Emory Pierce gave a brief recap of the following projects:

Phase I Cobb Road WRF - The additional flow meters have been installed at Cobb Road. Last Saturday the new plant registered a rate of over 3 million gallons and nothing overflowed.

Phase II Interconnection - The City received certified approved as-builts from all involved. School Street Wastewater Plant has been off line for approximately 1 month. Croom Road Wastewater Plant demolition has begun.

S.R. 50/U.S. 41 JPA - The City now has an expert consultant, US Griner, assisting us with negotiations.

Additional Water Wells - The City is still negotiating with Pasco Hernando Community College. The City is negotiating with Coastal on the scope of work on the other smaller well projects. This is for design and permitting of two additional wells on the 16 acre site.

Telemetry System - The telemetry system has been installed. The City will monitor but so far everything seems to be working correctly.

Liberty Street Brick Replacement - The City has been working on this and will continue to work on it.

CITIZEN'S INPUT

There was no Citizen's input.

ITEMS BY COUNCIL MEMBERS

E.E. WEVER, JR. COUNCIL MEMBER

Suncoast League Meeting

Council Member Wever advised that the program at the last meeting was on Sister Cities. It was very interesting and he felt the City may be interested in looking into this in the future.

Lobbyist

Council Member Wever stated he recently received a memorandum regarding the City hiring a Lobbyist and disagreed with the need to have a Lobbyist. He felt that we have other sources, such as the Suncoast League.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 7:30 p.m.

City Clerk

ATTEST:

Mayor

:bg

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REGULAR COUNCIL MEETING

August 7, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Lee Huffstutler, Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher, Police Chief. There was a member from the St. Pete Times in attendance.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA

City Council Minutes:

July 3, 2000

July 17, 2000

Museum Grant Application

Authorization for Mayor to execute letter of support for Grant Application to State by the Heritage Museum.

Valve Replacement

Amend/extend contract with Hydra-Stop to continue 2nd phase of valve replacement program at the same unit prices as original contract for an amount not to exceed \$25,000 and authorize Mayor to execute amendment accordingly.

Rural Community of the Year Awards

Authorization to send Notice of Intent to apply for above Award for the Jerome Brown Community Center.

Public Nuisance Liens

Authorization to proceed to file Public Sanitary Nuisance Abatement Special Assessment Liens for the following properties:

- a) John & Carol Porter, 506 Park Way - \$1,125.50
- b) Charles J. Gervais, 616 W. Summit Road - \$295.50
- c) William S. Vatter, 218 Pryor Street - \$195.50
- d) Mary Heck, 714 Brooksville Avenue - \$297.50 (two invoices: \$107 from May '99 and \$180 from December '99)

e) Robert West, 1341 E. Jefferson Street - \$396.50 (two invoices: \$101 from April '99 and \$285 from December '99)

f) William Holland, 46 Irene Street - \$275.50

Motion:

Motion to approve made by Johnston seconded by Wever.

Motion passed 5-0.

REGULAR AGENDA

Resolution 2000-18 - John Capel

Resolution honoring the accomplishments of Olympic Athlete John Capel on his quest for a medal in the 200 meter race in Sydney, Australia.

Headnote read by City Clerk:

A RESOLUTION IN RECOGNITION OF THE OUTSTANDING ATHLETIC ACHIEVEMENTS OF JOHN CAPEL

Motion:

Motion made by Lewis seconded by Johnston.

Motion carried 5-0 by the following roll call vote:

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

Resolution 2000-19 - Senator Ginny Brown-Waite

Resolution expressing appreciation for legislative assistance and/or support for recent funding commitments.

Headnote read by City Clerk:

A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA HONORING SENATOR GINNY BROWN-WAITE

Motion:

Motion made by Lewis seconded by Brayton.

Motion carried 5-0 by the following roll call vote:

Lewis Aye

Wever Aye

Johnston Aye

Brayton Aye

Staib Aye

Resolution 2000-20 - Representative Dave Russell

Resolution expressing appreciation for legislative assistance and/or support for recent funding commitments.

Headnote read by City Clerk:

A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA HONORING REPRESENTATIVE DAVE RUSSELL

Motion:

Motion made by Brayton seconded Wever.

Motion passed 5-0 by the following roll call vote:

Wever Aye

Johnston Aye

Lewis Aye

Brayton Aye

Staib Aye

Grant Agreement - Non-Matching Water Advisory Panel Grant

Acceptance of \$500,000 Grant from the Department of Environmental Protection (FDEP) and the Water Advisory Panel for wastewater project.

Motion:

Motion made by Brayton seconded by Johnston.

Council Member Wever suggested that the project start with 70 year old sewer lines then proceed to the 40 year old sewer lines and if funds are still available work on the under 40 year old sewer lines.

Motion passed 5-0.

Grant Application - Special Projects Consultant

Authorize Angie Brewer & Associates, to apply for Phase II of the Water Advisory Panel Grant by September 15, 2000 deadline at a fee of \$2,000 or \$2,500, dependent upon application requirements.

Motion:

Motion made by Brayton seconded by Lewis.

Motion passed 5-0.

Council Member Wever would like the grant application be listed as two phases.

Grant Agreement - Tom Varn Park Expansion FRDAP Grant

Acceptance of \$112,500 FRDAP Grant from the Florida Department of Environmental Protection (FDEP) for Racquetball Courts and Softball Field No. 2 renovations [\$150,000 project; \$37,500 City Match].

Motion:

Motion made by Brayton seconded by Lewis.

Motion passed 5-0.

Police Department Staffing

Proposed creation of a new Classification of Police Lieutenant at a Pay Grade 50.

Mayor Staib asked if anyone in the City is currently qualified to be the Police Captain. Police Chief Tincher indicated he did not feel that a Captain position was needed. He felt that this position was a barrier between himself and the patrol officers. The Lieutenant position would be doing basically the same things as the Captain, with a few changes.

Motion:

Motion made by Lewis, seconded by Wever, to create a new classification of Police Lieutenant and pay grade to the current budget.

Vice Mayor Brayton did not agree with the education requirement of a 2 year degree after January 1, 2004. Police Chief Tincher replied that the State of Florida has recently made some revisions that look like they will require a 2 year degree for all law enforcement officers and if the Officers do not have a 2 year degree they will have a period of time to acquire that or lose their certification. Vice Mayor Brayton did not know why we were changing the title from Captain to Lieutenant if the education requirements were going to be the same. There was further discussion on the education requirements of Police Officers.

Vice Mayor Brayton inquired whether this position was going to be open for all Sergeants to apply and wanted to confirm that the City would not just appoint someone. Chief Tincher stated that he had discussed it with the previous Captain and they agreed on a possible promotion to Sergeant. City Manager and Chief Tincher agreed that the job would at least be posted in-house.

Vice Mayor Brayton pointed out that the job description was quite different from the Captain. Police Chief Tincher stated some of the things the Captain did such as scheduling is being passed down and shared with different Sergeants.

Vice Mayor Brayton asked if this position would be an 8:00 a.m. to 5:00 p.m. shift or would the Lieutenant position work a different shift than the Police Chief. The Police Chief thinks this position may work a 3:00 p.m. to 11:00 p.m. Vice Mayor Brayton further inquired if they would be replacing the Sergeant promoted or if the new Lieutenant would be keeping his old duties also. Chief Tincher stated that was not his intent. He plans to replace the Sergeant position and promote a Sergeant from within the Police Department.

Motion passed 5-0.

Water and Sewer Capital Projects

a) U.S. 41 Utility Resolution - Sewer Trunk Line and Laterals

Consideration of proposed price settlement with contractor for 21 sewer laterals at \$4,000 each, and \$79,340 for 8" trunk sewer line for a total of \$163,340.

Motion:

Motion made by Brayton seconded by Johnston.

Council Member Lewis asked if this takes care of all of the disputes. Director of Public Works Emory Pierce stated this takes care of the \$1.2 million dollar portion of the \$1.9 million. There is still \$700,000 in negotiation.

Motion passed 5-0.

b) Water Line Extension - U.S. 41 South

Status report on contract negotiations with engineering consultant.

Public Works Director Emory Pierce is negotiating with Coastal Engineering for a fee and expects to have a scope of work and contract at the next meeting.

Council Member Wever asked if the City or County has approached the hospital for water or sewer services to the new site. City Manager replied to the best of his knowledge no one has officially been approached by the hospital yet. The City has inquired whether the hospital has hired an engineer for the design. The City Manager explained he wanted to ask the City Engineer Emory Pierce first for some preliminary figures on the cost as it will be a long run from Hardees to the proposed hospital site and this could be very expensive. It does not appear that we would be able to reimburse our costs for a long period of time. The County Utility Director is also concerned about the economics of this issue. The City Manager promised to bring this issue back to City Council and to contact the Hospital.

c) N. Wellfield Project

Status report on wellfield site negotiations.

Director of Public Works Emory Pierce stated that PHCC has now raised issues that were previously thought to be satisfied. The City is in the process of appraising the property we need for the easements. The City Manager indicated that there is a meeting scheduled with PHCC for Thursday with the Engineers, City Attorney, City Staff and Vice Mayor Brayton, who had requested to participate.

Public Works Director Pierce stated he had received a proposal from Coastal developing additional wells on the City's Hope Hill property, they hope to bring to Council in the near future. There is money budgeted for this.

Reserve Police Officers

Consideration of establishing Reserve Police Officer Classification, increasing requirements, and adjusting pay rate from a flat \$10.00 to step A of Police Officer Pay Grade (currently \$9.66 per hour).

City Manager explained that this is similar to the Firefighters Reserve that was brought to Council a few months ago. It is proposed that Police Reserve Officers work two 12 hour shifts a month instead of one 24 hour shift that the Firefighter Reserves must work. It is being proposed to pay the Police Reserves at the same rate of pay as an entry level Police Officer. This will provide the City with additional manpower and allow the City to reduce its overtime and other expenses.

MOTION:

Motion made by Brayton seconded by Lewis.

Motion passed 5-0.

CITIZEN'S INPUT

Tony Covell

a) Property Restoration Project

Tony Covell of Covell Electric, 26 E. Liberty Street thanked Council for their patience with his renovations. Mr. Covell handed invitations to Council inviting them to the Grand Opening of his shop.

b) Bulb-out Proposal

Mr. Covell added while he was on vacation in Vicksburg he noticed the downtown area had bulb outs and brick streets and provided photos. He stated that the bulb out sample project at old City Hall was totally destroyed by drivers driving over the curbs. The construction of the bulb outs in Vicksburg were such that the curbs were constructed at an angle allowing the drivers to drive over them without damaging the bulb outs. He stated these were done over 25 years ago and do not need to be maintained.

ITEMS BY COUNCIL MEMBERS

E.E. WEVER, JR. COUNCIL MEMBER

City Limits

Council Member Wever asked City Attorney Battista if he had received a response from the County regarding extending the City Limits to include

some of the streets and highways on the outskirts of town. Mr. Battista stated that he had not received a response. Community Director Bill Geiger reported that the County has turned it over to the County's legal staff. Council Member Wever advised that he would call Paul Sullivan and ask him to check on this.

Lockhart Agreement

Council Member Wever asked the City Attorney if he had received any information on the County turning Lockhart Avenue over to the City. City Attorney Battista understood this would be included in an overall agreement with the County for the Frontage Road concept.

Providence Road

Council Member Wever inquired about an agreement that the City Attorney was working on regarding the jurisdiction of Providence Road. City Attorney advised that he gave the City Manager a copy of a proposed interlocal for staff input. City Manager stated this would be forwarded to City Council as soon as possible.

Quarterly Financial Reports

Council Member Wever felt the City was in violation of the City Charter regarding Quarterly Financial Reports being provided to the Council and the Public. City Manager responded that the reports are done monthly and available to Council in their Office. He stated this can be changed and given every 3 months if that is the Council's pleasure. City Manager further stated they are available to the public at the public's request.

Dump Truck

Mr. Wever asked Director of Public Works Emory Pierce about the surplus County dump truck. Mr. Pierce responded that Steve Whitaker, of Hernando County Department of Public Works, is to call when the new trucks arrive this month.

Darby Lane Pond

Council Member Wever felt we should consider what the City will do about the pond we clean on Darby Lane because recent surveys show the pond encroaching on two lots. Vice Mayor Brayton asked if this is a City maintained retention area or a pond. Council Member Wever believed this was a City parcel of property that is a natural pond. Council

Member Johnston asked how it became the City's property because if it is a common area in the plat, the people surrounding the pond should be keeping it up. Council Member Wever asked if we have responsibility if it is ours and encroaches on the property of others. City Attorney Battista stated if it was ours we would have to maintain it, but if it is a common area then it is the subdivision owners, but he would check the plat. There was further discussion on whether it was a natural pond or part of a man made drainage system.

PAT BRAYTON, VICE MAYOR

City Banners

Vice Mayor Brayton asked City Clerk Phillips what her response was to the note from the Verona House regarding banners. City Clerk Phillips indicated that she met with Richard Terry of DPW today, and they are working on putting the banners up. Also, she indicated there was some money budgeted for banners so she would have to wait and see if the Budget is approved before making further plans. City Clerk Phillips stated the banners that were purchased previously were still in excellent condition.

MARY A. STAIB, MAYOR

City Welcome Center

Mayor Staib asked if there were any plans to make a welcome center downstairs at City Hall. City Clerk Phillips stated that could not be considered until after the budget meeting. The Mayor further asked about use of the ATM machine outside. City Clerk Phillips said that project is being worked on as a public bulletin board area.

Safety Committee Report - Drug Testing

Mayor Staib inquired if the Safety Committee meets every 3 months. The Police Chief responded they meet at least quarterly or sooner when necessary. The Mayor was concerned about the minutes from the March 6th meeting regarding the lack of uniformity in the drug testing policy. Police Chief Tincher stated that it was more an interpretation of the policy. Some of the things we are currently doing drug tests for could possibly be stopped; for example, when it is an accident that was not an employees fault, etc. Police Chief Tincher feels the City's drug policy is more than sufficient. The Mayor pointed out that some companies do random testing. Chief Tincher explained that the City tests after an event, when a supervisor is suspicious of an employee and when mandated by the Federal government such as for CDL Drivers. City Manager Anderson advised that random testing was found to have legal complications.

KAREN M. PHILLIPS, CITY CLERK

Reception to honor Senator Ginny Brown-Waite and Representative Dave Russell

City Clerk Phillips reminded everyone of the reception at City Hall on Monday from 6:00 to 7:30 p.m.

John Capel Olympics Send Off

City Clerk Phillips stated that the send off for John Capel would be Friday August 18, at noon on the Courthouse steps. In conjunction with that there are tickets on sale for the Celebrity Waiter Meal at Golden Corral on Monday August 21, 2000 5:00 to 9:00 p.m. Participating from the City will be Council Member Lewis, the City Manager and the Chief of Police. Tickets are \$9.00 each and a portion of that and the tips will go to a fund to send John Capel's parents to Sydney, Australia.

City Clerk Phillips was approached by citizens regarding a Welcome Back Party when John Capel comes back. Clerk Phillips passed out a memorandum to City Council. The idea is a Community Day at Tom Varn/McKethan Park. City Clerk Phillips asked for Council's consensus to host the event. The project would run by committee similar to the Olympic Torch Ceremony. Clerk Phillips acknowledged there were not enough City employees to handle the event but it would funnel through a core group that would maintain control with sub committees for fund raising, food,

entertainment, etc. Clerk Phillips is looking for Council's permission to go forward with this. The Olympic event will take place the end of September and closing ceremony the beginning of October. Council concurred to go ahead.

Budget Workshop

City Clerk stated that the Mayor had directed a proclamation be prepared for the Finance Director.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:20 p.m.

City Clerk

ATTEST:

Mayor

:bg

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BUDGET WORKSHOP
FISCAL YEAR 2001 BUDGET

August 8, 2000 7:00 P.M.

Brooksville City Council met in budget workshop session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; Lee Huffstutler, Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; and Boyce E. Tincher, Police Chief. There was a member from the St. Pete Times in attendance.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

PROCLAMATION - LEE ROY HUFFSTUTLER, DIRECTOR OF FINANCE

Mayor Staib read a proclamation honoring Director of Finance Huffstutler, who would be leaving employment with the City on August 11, 2000.

2000/2001 PROPOSED BUDGET

Preliminary review of recommended Revenue and Expenditures for 2000-2001 Fiscal Year.

Director of Finance Huffstutler stated that this draft budget contains the suggestions made at Council's preliminary budget meeting in May and went on to give an overview of what it contains.

City Manager Anderson identified the hand-out given to Council which he felt was an executive summary of the budget.

In response to Vice Mayor Brayton's question, the Director of Finance pointed out that page 11 of the general fund contains a breakdown of employees' salaries.

Page 126 brought a question from Mayor Staib concerning the legend reflecting what she calculated as \$1,304,500 but was listed as \$1,310,400. Huffstutler responded that it could be an error and would be corrected.

There were no questions on the revenue and millage breakdowns on pages 7 and 8. On the General Fund Revenue detail, Vice Mayor Brayton questioned the \$110,00 revenue in the golf course income. Director of Finance Huffstutler stated that historically \$150,000 has been budgeted, so it could be increased if desired by Council. Council Member Wever asked where the estimated income for the Brown Community Center was listed in the budget, which Huffstutler responded was located in Special Revenue.

General Government

City Clerk Phillips pointed out that the footnotes on page 21 may need to be modified.

City Council

Regarding a possible salary increase for Council Members, it was pointed out that Council did receive an increase the previous year.

Regarding the costs budgeted for the first floor, City Manager Anderson stated that it covers air conditioning for the Council Chambers.

Administrative Operations Division

City Clerk Phillips explained that the 99 vehicle identified on page 30 is actually a 1996/97 car and the 00-01 PD vehicle is a 1998/99 and these will be corrected. Staff may be requesting purchase of a vehicle later this year if one is not available from Police fleet. Council Member Wever expressed his disagreement with the transfer amount listed for the PD vehicle, which Anderson indicated would be looked at.

The footnote on page 32 on repairs drew a question from Council Member Johnston which Phillips explained were service contracts.

Human Resource Division

In response to Vice Mayor Brayton's question, City Clerk Phillips responded that Theresa Pomeranke is the acting Human Resources Coordinator. City Manager Anderson stated that they are interviewing to fill that position.

Management Information Services Division

City Manager Anderson stated that this may be retitled "Information Services".

Community Development Department

City Manager Anderson and City Clerk Phillips explained the positions contained in the budget. Anderson added that the Community Development Director would operate the Community Redevelopment Agency and coordinate the downtown redevelopment activities.

Community Development Director Geiger updated Council on the status of the EAR report and the upcoming Comprehensive Plan Amendment.

Council Member Johnston pointed out a correction to the EAR goals date of 4/30/2000 that should be "2001".

Finance Department

Council Member Wever pointed out page 50 and discussion ensued regarding the percentage of interest income on investments, which Huffstutler stated he would look at.

Council Member Johnston questioned which finance software needed to be converted to Windows. Director of Finance Huffstutler responded that the one just purchased is in DOS.

Vice Mayor Brayton called attention to page 52 and the salary of the Director of Finance which Anderson advised should be \$45,000.

Police Department

Director of Finance Huffstutler called attention to the light bars referenced on page 56 and explained that it includes light bars, sirens and cages for two vehicles. Regarding the vests, Chief Tincher stated that it includes 7 vests. Chief Tincher addressed the Vice Mayor's question on the \$8,800 budgeted for hand guns. The Chief advised that Council authorized a trade of existing 9 mil hand guns for 40 cal hand guns, which was accomplished at no cost to the taxpayers or City. He went on to explain that for various reasons, those firearms are now needing to be replaced. Chief

Tincher stated that they will be traded, which will reduce the amount somewhat.

Pointing out the transfers out on the vehicles, Council Member Johnston questioned if there are 13 in rotation being replaced over the five year period, which Tincher confirmed. Council Member Johnston asked what the effect the two leased motorcycles had on the use of the vehicles. Chief Tincher responded that it reduces the mileage and agreed that it extends the life of one of the vehicles and may then be removed from the rotation for replacement for another year. Council Member Johnston requested that this be reviewed in the future to see if that plan has been successful.

Regarding the lease of the motorcycles, Tincher stated Council may need to consider leasing two motorcycles once this current one runs out. City Manager Anderson stated that it would be presented to Council at a later date.

Chief Tincher explained that the computer support technician would be a police officer that has computer skills and can support the Cisco and mobile data terminals. City Manager Anderson stated that reclassification of that position would be brought back to Council.

Regarding Cisco, Vice Mayor Brayton questioned if there are funds to cover system upgrades. City Clerk Phillips stated that she anticipates funding available from this year's budget to cover any upgrade.

Discussion ensued concerning Council Member Johnston's question on the COPS grant employees that are incorporated into this budget. Chief Tincher stated that there are five officers, four of which must be retained in next year's budget. Anderson added that the agency would be notified of the City's discontinuation of the program.

Fire Department

Council Member Wever called attention to the new rescue truck and felt that what is already in that fund from the old truck should be examined to deduct it from the value of the new one. In response to Vice Mayor Brayton's question, Chief Daugherty advised that he would like to purchase four radios.

Council Member Johnston informed Council of the laptop he just purchased for under \$1,000 so that estimate may be over budgeted. Regarding the capital improvements on page 61, Johnston questioned the building improvements for \$85,000. Chief Daugherty responded that it is for long term improvements.

Parks Division

City Manager Anderson explained that the used truck referenced will be attempted to be obtained from the County. Council Member Johnston pointed out the mowing services under "other contractual services" and questioned the purpose of the new mower budgeted. City Manager Anderson stated that a contract mower assists in the rough mowing.

Vice Mayor Brayton requested an explanation for the \$7,750 budgeted for "other current charges" for Rails to Trails surveys. City Clerk Phillips stated it is more of a boundary description of all the property boundaries at Russell Street Park. Community Development Director Geiger added that they are surveys, evaluations of specimen trees and other things that the City committed to do with FCT.

Cemetery Division

Council Member Johnston pointed out that the word "it's" is used incorrectly in most instances throughout the budget and called attention to a typographical error on page 69 on number 3 under goals and objectives. Council Member Johnston questioned if "park improvements" reflected on page 71 should be "parking improvements", which Anderson indicated that he would check on.

Jerome Brown Center Division

Regarding the \$10,000 for bleachers listed on page 75, it was pointed out that it had already been decided to defer that request to another year. City Clerk Phillips stated that it is still the commitment of the JBCC Youth Foundation to

attempt to get the funding for the bleachers. She added that without the bleachers, it can only be used as a facility for kids to come in and shoot balls. No tournament events or large shows can be held. Vice Mayor Brayton stated that he remembered that the committee was also supposed to come up with the money to divide the room into four different rooms. If those divisions were there, it would be hard to put bleachers in. City Clerk Phillips stated that it is their intent to get collapsible bleachers. It was decided to remove that amount and put it in reserves.

Council Member Wever expressed concern that the JBCC budget has grown from \$25,000 to \$100,000.

Discussion ensued regarding Vice Mayor Brayton's question on the Recreation Leader III position depicted on page 76. City Manager Anderson explained that it is an unfilled position that is anticipated to be filled shortly. On the two part-time employees listed, Brayton questioned the amount budgeted for those salaries. City Manager Anderson indicated he would check on those positions.

Quarry Golf Division

An operating loss of \$42,000 was pointed out by Council Member Wever. The positions in the Division were discussed.

The intent to go out for RFP for privatization of the golf course was discussed. Wever advised that a previous motion by Council included advertising it for lease while the City started operating it. Council Member Johnston expressed his opinion that it should not be advertised until it is in the condition for someone to come and look at it and feel that it is worth taking over. Council Member Wever felt that it should be advertised now.

Public Works Administration Division

Council Member Wever offered his opinion that the salary of the Public Works Director should be split so that utilities pay a portion of his salary. The City Manager stated that it is included in the calculation of the amount that is transferred from the enterprise to the general fund. He stated that it could be shown there and the amount of transfer to the general fund reduced by the same amount. Director of Finance Huffstutler voiced caution due to the bond resolution.

Council Member Wever thought that years ago the transfer used to be based on the percentage of the gross revenue.

Public Works Streets and Drainage Division

It was questioned why auto repairs of \$11,4000 reflected on page 88, footnote number 1, was not under line 14, "Automotive Repair service". Huffstutler stated that some amounts reflect in-house work, some are contract out services, some are just parts and some are just service.

Director of Finance Huffstutler called attention to a correction to footnote 5 on page 88 which should be changed to "chain saw, weed eaters, and mowers".

Vice Mayor Brayton questioned the increase of the "other contractual services - labor". Director of Public Works Pierce stated that it covers the prison crew guard salary and various radio and equipment as per the City's agreement with the prison.

Capital Project Funds Summary

City Clerk Phillips interjected that based on staff discussions, there may be some revisions to the capital summary and a reduction in the single year capital project fund. She indicated that Council would be receiving a memo on that shortly.

FRDAP Grant for Jerome Brown Parking Lot

Council Member Wever questioned the parking lot on page 90 and whether that is the grant money that is left over that

has to be spent this current budget year. City Clerk Phillips responded that there are still some projects to finish the grant. She stated that there may be money left over to finish the resurfacing project.

Single Year Capital Project Fund (2)

In regard to the roof improvements depicted on page 91, Council Member Wever felt that if they are single year projects, they should be reflected in their individual budgets. City Manager Anderson stated that this is in response to Council's desire last year to see capital projects in one place. He stated that if Council wishes to see them back in their departments, staff can do that. Anderson indicated that the placement and categories of the capital project funds would be looked at. Council Member Johnston suggested that the actual figures for balance purposes be left in the individual departments and a separate page listing current year capital projects. The Director of Finance indicated his desire to keep the capital projects separate.

Council Member Wever called attention to page 91 and expressed his disagreement with \$120,000 for City Hall renovations funded for 00/01, which Phillips and Anderson acknowledged was an error.

City Manager Anderson responded to Council Member Wever's question on the park office versus an equipment storage building. In response to Mayor Staib's question, City Manager Anderson advised that the mining companies were no longer expressing interest in using one of the buildings at the park for a mining museum.

Council directed City Clerk Phillips to change the structure of the capital projects fund before the public hearing.

Multi-Year Capital Project Accumulation Fund

Council Member Wever expressed his disagreement for more land at the JBCC as depicted on page 92 and questioned if the mounds next to the parking lot could be cleared. Director of Public Works Pierce agreed that it could be done, but the cost had not been analyzed. It was the consensus that the corner lot suggested for purchase is overpriced at \$100,000 and it was agreed to remove from the budget at this time. Council directed staff to present cost factors for clearing off the mound for parking. Regarding skateboarding in that area, Anderson informed Council that a skateboarding organization has indicated an interest in helping the City construct a facility but it has not been pursued any further.

The Director of Finance explained the \$140,000 listed on the bottom of page 92 in response to Council Member Wever's question.

CDBG (Downtown Redevelopment)

City Clerk Phillips explained that the CDBG housing is a 1980 grant and reflected is program income from loan pay backs. She stated that the program income must be used in the target area. Phillips stated that staff has suggested continued renovations at the Russell Street Park and the Good Neighbor Trail.

Council discussed the \$500,000 given by the State reflected in the budget to be spent on CDBG downtown redevelopment related projects. Council Member Wever stated that it conflicts with the agreement that committed the City to use it on City-wide sewer rehab projects. The Director of Public Works stated that an extensive survey of the City sewer lines was conducted in the early 1980's and he and the Superintendent of Utilities will be reviewing and updating it. Based on that list, projects will be prioritized with the first of them using the \$500,000 with the State's permission. He added that when applying for the same program during the next cycle, the same objective will be used. City Clerk Phillips stated that staff would be bringing forward a WAP's consultant agreement for approval. The \$500,000 will be retitled "Community Revitalization" funds instead of CDBG. It was decided to list CDBG and WAP under income or as a footnote.

Regarding transferring money to the Community Redevelopment Agency, Anderson stated that he would send a memo to Council explaining that transfer and Council's position as the Community Redevelopment Agency. He stated that he feels that it is still important to keep the block grant funds separate.

Road Impact Fees Fund

The question of whether the road impact fee money could be used on the City's street paving program was raised by Council Member Wever. It was pointed out that it would have to be used for new construction.

Parks and Recreation - Jerome Brown Community Center

Council Member Wever asked for an explanation on the \$20,000 miscellaneous amount. Director of Finance Huffstutler stated that it is rental revenue income. Wever stated that it was his understanding that all revenue would be reflected in the General Fund, which was discussed at length. City Manager Anderson indicated that it could be a transfer out to the General Fund and listed as "Jerome Brown Fund Income". It was decided it could be on the summary sheet for General Fund Revenue and be called "Jerome Brown Community Center" with estimated revenue for the year.

A break was called at 9:20 p.m. and reconvened at 9:25 p.m.

Water & Wastewater Division

On page 107, City Manager Anderson stated that \$25,000 for Rosebud and Markum Lane should be added to the total \$843,800.

Council Member Wever advised that he figured the debt service requirement for parity debt and the 1.25 comes out to \$1,221,000 and the net profit from operations comes out to \$1,750,000 in this budget with the 20% increase. On the list of capital projects, Wever questioned the Phase II Interconnection project, which Pierce advised was demolition of the plants. On the Phase I test well, Director of Public Works Pierce responded that it is the PHCC well field project. Council Member Wever thought it was his understanding that there was already \$250,000 in the budget, which Pierce explained was carried forward until the next fiscal year.

In response to Council Member Wever's question on page 109, Director of Public Works Pierce explained that the electric bills have not decreased as yet because for several months all plants were running simultaneously so the budget reflects historical costs plus electrical surcharges that will be due.

Solid Waste Collection Division

Council Member Wever asked the age of the Volvo truck that is proposed to be replaced. Pierce replied that it is not that old, but there have been constant maintenance problems.

On page 116, Council Member Johnston called attention to an error in the footnote numbering.

Public Works Vehicle Maintenance Internal Service Fund

Council Member Wever expressed his opinion that the replacement fund should be out of this section on page 119 and put into a separate fund on page 92 where the capital projects funds are listed. The income should be carried in a contingency figure in the bottom of the schedule. The accrual for the replacement should be based on the actual purchase price of the vehicle with the income earned put into the fund.

Director of Finance Huffstutler went over the Fleet Maintenance layout and the reserves for contingencies contained therein.

Wever felt that the interest income reflected on page 119 was not correctly calculated when considering the interest income from the audit reports. He questioned why extra money should be expended for replacement when the City is earning money based on the cost price of it. He expressed further concern that the money be kept separate from the operating money for the maintenance so that interest income money is not used on maintenance. Director of Finance Huffstutler stated that the schedule can be adjusted to account for interest income and accumulated interest income, and change it to only replacement cost not the purchase price. He stated that it would require work breaking down

maintenance and fleet to determine if they are both paying for themselves. Council discussed reserves for contingencies and reserves for fleet purchases on page 121. Anderson stated that staff would look at this further.

Council Member Johnston called attention to the footnote 1 on page 121 and thought previously staff had advised that service and parts are reflected in two different places, which Huffstutler indicated he would check on that, together with the possibility of having it be a separate transfer to fleet maintenance. Johnston pointed out that footnote number 3 should reflect "per Council direction" instead of "per Council director".

City Clerk Phillips stated that there may be a change on page 122 relating to the Police Department vehicle.

Cemetery Perpetual Care Fund

Council Member Wever questioned if that fund has been restored to what it was before it was used as he stated Council committed to do. City Manager Anderson stated that it may need to be further researched but he felt that it had been restored.

General Employee's Retirement Fund (FLC)

Huffstutler explained Vice Mayor Brayton's question by stating that the operating expenditure reflected is the cost of sending out statements to the individual employees to bring them up to date on the retirement plan. Vice Mayor Brayton suggested that the contract should be checked for those Administrative fees. City Clerk Phillips stated that Council may be looking at the police and general employees agreement with FLC in the near future due to the fact that the Police Pension Board is planning to address changing retirement/pension services provider.

Community Redevelopment Agency

Council Member Wever felt that the words "CRA will be run by City Staff" should be reworded to reflect "managed by the Board and run by staff". City Manager Anderson stated that the language will be modified accordingly. It was pointed out that at some near point, the Council, as the CRA, will need to meet to approve the CRA budget.

City Manager Anderson called attention to page 131 and explained that the \$30,000 for Economic Development Coordinator will not be enough for a full year of funding. The pay grade will be formally set by the CRA at a later date. Discussion ensued regarding the possibility of the CRA entering into a contractual agreement with the City to hire the economic development coordinator with the CRA reimbursing the City. Anderson stated he would check on that.

Self Insured Dental Plan Fund

In response to Council Member Wever's question, the Director of Finance stated that the personnel services expense in the dental plan includes benefit payments.

Overall budget questions

On page 118, Council Member Johnston questioned the vehicle lift and hydraulic jacks, which Pierce advised was not purchased previously and the footnote is incorrect.

Johnston called attention to the Finance Department where the general capital outlay summary shows \$4,000. The Finance Director explained that the finance staff is moving their offices and may utilize dividers or cubicles.

Vice Mayor Brayton requested Council's consideration on either giving a 2.5% increase to employees without adjusting the overall pay plan or change the pay plan to allow for increase. It was decided to leave it so that the pay plan is adjusted.

ITEMS TO DISCUSS BY COUNCIL MEMBERS

Ad Valorem Tax Relief

Council Member Wever stated that he will attempt to work on getting the legislature to do something to relieve City property owners from paying full ad valorem taxes to the County. It was pointed out that the Florida League of Cities have attempted to do that for years.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at approximately 10:30 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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REGULAR COUNCIL MEETING

August 21, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; Tim Mossgrove, Fire Department; Bill Geiger, Community Development Director; B.J. Coryer, Acting Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher, Police Chief. There was a member from the St. Pete Times in attendance.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA

City Council Minutes:

August 7, 2000

Motion:

Motion made by Johnston seconded by Lewis.

Motion passed 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Lorenzo Hamilton

Recognition of the efforts and commitment of Mr. Hamilton to the youth of our community, and designating September 2, 2000 in his honor.

Proclamation read in its entirety by the Mayor.

Proclamation will be delivered to Mr. Hamilton.

REGULAR AGENDA

Resolution 2000-21 - Florida Department of Forestry

Consideration of 50/50 grant application for \$7,500 to implement initial phase of street treescaping project (City's \$7,500 share from Tree replacement fund)

Headnote read by City Clerk Phillips:

"A RESOLUTION BY THE CITY OF BROOKSVILLE, FLORIDA TO ENTER INTO AN URBAN AND COMMUNITY FORESTRY GRANT MEMORANDUM OF AGREEMENT WITH THE STATE OF

FLORIDA, DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF FORESTRY."

Motion:

Motion made by Lewis and seconded by Brayton.

Motion passed 5-0 by the following roll call vote:

Johnston Aye

Wever Aye

Lewis Aye

Brayton Aye

Staib Aye

Pine Beetle Eradication Program Status report

Consideration of additional funding of \$5,000 for City's Matching Program and requesting State funding and enforcement support.

Presentation by Community Development Director Bill Geiger. Director Geiger stated that the proceeds the City received from the removal of Pine Trees on City property totaled \$6,538.00. He further indicated that \$4,535.00 of the \$5,000.00 the City allocated to this program has been spent to date. The balance remaining is \$465.00. Due to the continuing problems with Pine Beetles, City Staff is recommending that Council authorize additional \$5,000.00 to continue with suppression efforts. The Division of Forestry feels that by continuing the suppression effort it will save money, and save some of the trees, especially since dead trees become hazards.

Director Geiger informed Council that the Board of County Commissioners is putting together a resolution which will be considered at the August 22, 2000 Meeting as well as a letter to go to the Commissioner of the Department of Agriculture requesting the State of Florida's assistance. Director Geiger requested that City Council do a similar Resolution or letter to the Commissioner of Agriculture.

Vice Mayor Brayton asked why certain addresses had trees removed at different times, for instance Hammock Drive and Cloverleaf. Mr. Geiger responded that he spoke with the Division of Forestry about this issue, they responded that if you have trees infested you should try to remove all trees in the immediate vicinity. The owners at these addresses were trying to be conservative to save trees.

Council Member Lewis explained that the current program does not include removing additional trees. He stated that Hernando County's program only covers dead trees and actively infested trees identified by the Division of Forestry.

Motion:

Motion made by Brayton seconded by Lewis to allocate an additional \$6,500 towards eradication.

Motion passed 5-0.

Council Member Wever recommended a letter be sent to the State instead of waiting for a Resolution to be brought back to Council.

Motion:

Motion made by Wever seconded by Brayton to send a letter to Commissioner of Agriculture Bob Crawford as

recommended by the Division of Forestry.

Motion carried 5-0.

Quarry Golf Course

Cart Rentals

Consideration of three (3) year lease agreement for 20 golf type electric carts at \$31.50 each; total projected rental cost \$630.00 per month (\$7,560.00 per year), and option for up to three (3) additional carts.

Parks and Recreation Director Pugh explained that the current golf carts are left from a contract with Impact Golf and Associates, Inc. Florida Southern Golf Carts has offered the City a deal on a fleet of refurbished golf carts that will save the City around \$500.00 a month. The maintenance of the golf carts is included in the monthly fee. The carts will have a sign on them stating that Southern Golf Carts support the Youth of our Community.

Vice Mayor Brayton asked that a clause be included that could transfer or cancel the Agreement if the City leases the Golf Course. Council Member Wever also stated he had a problem with the pre-termination clause in the agreement.

Motion:

Motion made by Brayton seconded by Johnston to approve the contract with Florida Southern Inc. with two stipulations, include an assign or transfer clause and remove the pre-termination clause.

Motion passed 5-0.

Fee Schedules

Consideration of proposed user fees.

Motion:

Motion made by Brayton seconded by Johnston to approve the user fees.

Motion passed 5-0.

Interlocal Agreement - City/County Equipment Sharing

Consideration of revision to proposed agreement for exchanging equipment services.

Motion:

Motion made by Johnston seconded by Brayton to approve the agreement.

Motion carried 5-0.

Water & Sewer Line Extension - Engineering Services

Approval of negotiated consulting agreement including scope of work with Coastal Engineering Associates, Inc. for one or more of the following corridors:

Corridor I: U.S. 41 - SR 50 South to Powell Road \$14,000.00

Corridor II: S.R. 50 - East to Cedar Lane \$11,000.00

Corridor III: S.R. 50 - West to Lykes Dublin Road \$14,000.00

Public Works Director Pierce recommended Corridor I be approved. Council Member Wever indicated the original purpose was to get permits to put the system in, not necessarily begin work right away.

In response to Mayor Staib's inquiry regarding what side of U.S. 41 the City would run lines, Director Pierce responded that Coastal Engineering will perform a cost estimate and feasibility study and present it to the City.

Motion:

Brayton made the motion to approve all three projects.

Council Member Wever requested that we prioritize the projects. He further stated he would prefer to approve Corridor I and III. Vice Mayor Brayton reminded Council that one of the City's largest water customers is on the east side.

Motion withdrawn due to lack of a second.

Council Member Wever asked the City Attorney if it was possible for the City to establish a utility service district for these areas or for the entire 5 mile radius. City Attorney responded that it would be possible if the City determined a district, but currently it is in the County. Council Member Wever asked if the 5 mile area was in the Florida Statutes. Director Pierce and City Attorney Battista agreed this was not a very clear area in the Statutes.

Motion:

Motion made by Brayton to proceed with Corridors I and III, which was seconded by Wever.

Motion passed 5-0.

Construction Projects - Status Report

Phase I Cobb Road WRF

Director of Public Works Pierce feels this project is wrapped up, and advised that he will bring the final paperwork to USDA on August 22, 2000.

Water Tower Telemetry System

Public Works Director Pierce stated that the project is complete.

Phase II Interconnection Project

Director Pierce informed Council that the as-builts have been sent to DEP and the final change orders and adjustment of quantities are almost complete.

S.R. 50/U.S. 41 JPA Project - Director Pierce indicated this project is ongoing.

CITIZEN'S INPUT

Captain Tim Mossgrove, Brooksville Fire Department

Agenda Item #5 - Water and Sewer Line Expansion

Captain Tim Mossgrove stated that Wesleyan Village had plans to continue with construction of Phase II and Phase III to include town houses and other facilities. This is located on Hwy 50 East and part of Corridor II. Wesleyan Village recently had water lines extended to Red Bud Lane.

Vice Mayor Brayton would like to reaffirm his position with Captain Mossgrove that he would like to see all three Corridors approved.

ITEMS BY COUNCIL MEMBERS

Joseph E. Johnston, III, Council Member

September 4, 2000 Council Meeting

Council Member Johnston reminded Council Members that he would be out of town for the next Council Meeting, but would be back for the Budget Hearings.

Vice Mayor Brayton indicated that since the Tuesday Meetings were originally his idea he had directed the City Clerk to revert to the old schedules for meetings next year with Holiday conflicts.

E.E. Wever, Jr. Council Member

Correspondence to Note

Regarding CTN item #7, - Council Member Wever inquired what the price the property at Yontz and Howell was appraised for. Staff indicated it was less than \$3,000.

As to item #9, - he pointed out that the Public Hearing on zoning change of Hwy 50 and Darby Lane should be Hwy 50A and Darby Lane.

Withlacoochee Regional Water Supply Authority Board

Council Member Wever stated that the Authority has a few meetings per year that members are required to attend. The Authority does not have credit cards and are having difficulties making reservations with checks. Council Member Wever requested that Council allow him to use his City Credit Card and the WRWSA will reimburse the City. This Board actually pays for Council Member Wever's travel.

Motion:

Motion made by Lewis and seconded by Brayton to consider the issue brought up by Council Member Wever and add this to the Agenda.

Motion passed by 5-0 vote.

Motion:

Motion made by Lewis and seconded by Brayton to allow Council Member Wever to utilize his City Credit Card to pay the expenses associated with his Water Board membership, which will be reimbursed to the City by the WRWSA.

Motion passed 5-0.

Well Drilling in City Limits

Council Member Wever requested the City Attorney check on the legality of drilling a well in the City Limits due to the bond covenants issued in 1988. It states that any property that has a water or sewer line in front or beside it has to connect to the system. The 1999 resolution states not only connect but to connect and use the system. Vice Mayor Brayton feels that the wells being drilled were for irrigation and did not feel there was a problem with that since these homes were already connected to water and sewer lines. Council Member Wever would like something in the City Code to be more specific to be able to control these things.

Utility Rates

Council Member Wever advised that he had previously requested from Finance Director Huffstutler an analysis of the

fund balance that was in the R and R Budget for Utilities, 1.5 million. Council Member Wever feels this is over what is required and would like to see an analysis of this amount.

Suncoast League Meeting

Wever stated the Suncoast League Meeting in October will be held in Brooksville and a location and program are needed. City Clerk Phillips indicated she thought the location was to be at the Jerome Brown Community Center.

Robert B. Battista, City Attorney

Candlelight Pond

City Attorney Battista indicated his research of the Pond on Darby Lane in Candlelight is City dedicated property. It is listed as a DRA at the Property Appraisers Office.

Interlocal Agreements

City Attorney Battista stated that the Frontage Road at Providence Avenue is still with County staff being worked on. The transfer of North Street and Lockhart came back from County Staff stating they did not have a problem with the City getting it but wanted to retain the veto if there was ever any vacation, due to the historical record on Lockhart. City Staff decided to hold this and make the Lockhart/North issue part of the Frontage Road so that maybe there would not be any limitations.

Karen M. Phillips, CMC, City Clerk

Council Meeting

City Clerk Phillips reminded everybody that the next Council Meeting would be held on Tuesday, September 5.

Celebrity Waiters

City Clerk Phillips commended the excellent City Celebrity Waiters that participated in the John Capel fund raiser for the Olympics that evening.

Mary A. Staib, Mayor

Florida League of Cities Convention 2000

Mayor Staib reported that there were three resolutions passed at the convention. The first one is Resolution 009, opposing congressional legislation modifying the religious liberty protection act. The second resolution urges Congress to provide electronic commerce equity by adopting legislation that compels out of state vendors to collect and remit State and Local use tax. The last resolution urges Congress to provide funding for the creation of additional metropolitan planning organizations in Florida.

The Criminal Justice Ethics and Personnel Policy Committee is still pursuing the two years of education for Police Officers, possibly reviewing the helmet law, and speaking on the phone while driving.

De-regulation of electricity was a big item at the Convention. Mayor Staib indicated there was an article about California suffering from black outs. Mayor Staib will leave literature that she received at the Convention in the Council Office. Mayor Staib said she enjoyed the Riverwalk in Ft. Lauderdale.

H. ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:00 p.m.

Interim Deputy City Clerk

ATTEST:

Mayor

:bg

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REGULAR COUNCIL MEETING

September 5, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, Richard E. Lewis and E. E. Wever, Jr., present and Council Members Joseph E. Johnston, III, absent. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; Bill Geiger, Community Development Director; B.J. Coryer, Acting Director of Finance; Pat Jobe Acting Deputy City Clerk; Emory Pierce, P.E., Director of Public Works; and Boyce E. Tincher, Police Chief. There was a member from the St. Pete Times in attendance.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA

City Council Minutes:

August 21, 2000

Interagency/Public Works Agreement

Consideration of renewal (July 1, 2000 - June 30, 2001), agreement with Florida Department of Corrections for Work Release Program.

Council Member Wever requested items 2 and 3 be moved to the regular Agenda. Moved after the Public Hearing by consensus of Council.

Motion:

Motion made by Brayton seconded by Lewis to approve balance of the Consent agenda (Items 1 & 4).

Motion passed 4-0.

PUBLIC HEARING

Alcoholic Beverage - Location Approval 711 S. Broad Street

Consideration of Application by Catcher's Mitt Sports Bar for approval of location permit to sell beer & wine for on-premise consumption.

Motion:

Motion made by Lewis seconded by Brayton to approve.

Council Member Wever inquired as to the owner. Staff indicated that the owners are the Mizell's.

Mayor Staib questioned if the number 3-6(a) in the second paragraph of the memo from Director of Administration was a typographical error, which the City Attorney indicated he would verify.

[Note for the record, the City Clerk subsequently verified that the number reference was correct as stated in the memo - Notation added by the City Clerk 9/27/00].

Mayor Staib questioned whether the package liquor was allowed to leave the premises or be consumed in the parking lot, which was confirmed was not allowable.

There was no Public Input.

Motion:

Motion made by Wever seconded by Lewis to approve.

Motion passed 4-0 by the following roll call:

Wever Aye

Lewis Aye

Brayton Aye

Staib Aye

REGULAR AGENDA

Council Member Wever requested any items dealing with the FDOT Projects should be put on the Regular agenda not on the Consent Agenda. Therefore, the following two items have been moved from the Consent to the Regular Agenda.

FDOT-JPA (Utility Line Relocations) Fund Transfer (Original Consent Item)

Consideration of requesting deposit (approximately \$79,000) be transferred from S.R. 50 to U.S. 41 project, as well as remaining funds (approximately \$21,000) plus accrued interest.

Council Member Wever asked if this was approved previously. Director of Public Works Pierce stated it was a different amount a year ago.

Motion:

Motion made by Brayton seconded by Lewis a)to transfer \$79,000 from S.R. 50 JPA fund to U.S. 41 JPA fund, b)the remaining funds from project #08040-3509/6510, WPI #7112118 be transferred to U.S. 41 Project, and c) the accrued interest on the S.R. 50 project be credited to the U.S. 41 projects.

Motion passed 4-0.

FDOT - Change Order S.R. 50 (Original Consent Item)

Advise FDOT that City has no objection to enclosing a portion of the drainage ditch along the South side of SR 50, West of US 41 (adjacent to Brooksville Square) with a box culvert.

City Manager passed out a revised letter that states we have no objections as long as there is no additional charge. The City Manager pointed out this is a technicality and not a change order.

Director of Public Works stated that the Contractor and the Construction Manager suggested that a box culvert would eliminate the problem of cars in the ditch. Council Member Wever asked if it would be covered with soil and grass. Director Pierce responded yes.

Motion:

Motion made by Lewis seconded by Brayton to approve at no cost to the City.

Motion passed 4-0.

Ordinance 552C - Police Pension Trust Fund

Consideration of Ordinance to incorporate amendments proposed by Police Pension Trust Fund Board.

Headnote read by Acting Deputy City Clerk Jobe.

"AN ORDINANCE OF CITY COUNCIL OF THE CITY OF BROOKSVILLE; AMENDING THE RETIREMENT PLAN AND TRUST FOR THE POLICE OFFICERS OF THE CITY OF BROOKSVILLE; AMENDING ARTICLE ONE PROVIDING FOR DEFINITIONS; AMENDING ARTICLE SIX PROVIDING FOR BENEFIT AMOUNTS AND ELIGIBILITY; PROVIDING FOR CONFLICT, SEVERABILITY, AND PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE."

Motion:

Motion made by Lewis seconded by Brayton to approve.

The Mayor called for Citizen Input. Joe Quinn, Chairman of the Police Pension Trust Fund, stated he was available for any questions.

Motion passed 4-0 by the following Roll Call Vote:

Wever Aye

Lewis Aye

Brayton Aye

Staib Aye

Blue Cross Blue Shield

Consideration of proposed one year extension effective October 1, 2000 for employee health coverage, benefit levels and premium costs.

The City Manager informed Council that the City had received a renewal from Blue Cross Blue Shield, the City's Health Care Provider, which provided for an increase of 20% in premiums. This is an additional cost of approximately \$30,000 to the existing premium structure. Blue Cross Blue Shield also submitted an alternate which is Plan 15 and has a slightly reduced benefits plan and premium. Both of the plans increase the City's and Employees share. The City Manager did not believe it would be beneficial to look for an alternate provider, due to the existing health care market available in the County. The City Manager asked direction from the Council at this point.

Vice Mayor Brayton believed the City could afford its increase but voiced his concern about the employees being able to afford their increase. He stated that the increase for employees would be in the range of \$31 to \$73 a month for the first plan proposed. The major increase in the second plan is that the co-payment on generic prescriptions increases from \$7 to \$15 and the Specialist Office Visit increases from \$25 to \$35.

Vice Mayor Brayton would like Council to consider the third alternate plan allowing the City to absorb the difference without the employees having to pay any additional amount. This would not cost the City any more than approving plan 14 (current plan) and having the employees pay the difference. Vice Mayor Brayton stated the City needs to make

the Employees Health Insurance a priority whether we have a flat cafeteria plan or something else. He felt the constant increases needed to stop.

Council Member Wever asked if the contract could be cancelled if a more economical contract was found. City Manager Anderson did not believe the contract could be cancelled before the one year term. Council Member Wever will investigate the Health Insurance at SWFWMD.

City Manager Anderson stated this could wait until the next meeting which would be the first budget hearing. Vice Mayor Brayton pointed out that in the past the City has tried to be included in other plans but the City's size and history excludes the City from joining other plans. He felt the City should approve the insurance plan because there is not enough time to implement another plan by October 1st.

Vice Mayor Brayton firmly stated that this needs to be addressed. The Health Insurance was supposed to be a priority last year and dates were set to have a response by January or March. Council Member Wever agreed and thought that there should be information on a Cafeteria Plan included.

Motion:

Motion made by Brayton and seconded by Lewis to approve Group Plan #15 with the City making up the difference of the employees contribution.

City Manager Anderson clarified that the chart on the second page of the memo was intended to add the last two columns together, employee contribution added to the City's contribution. Vice Mayor Brayton believes this would be even less of a cost to the City than approving Plan 14 with the employees contributing to the cost.

Council Member Wever requested the figures for the different plans and what it would actually cost.

Motion passed 4-0.

Parks and Recreation Board

Appointment of three Board Members to four year terms through August 31, 2004.

Motion:

Motion made by Lewis seconded by Brayton to reappoint James Brooks, Alan Garman and Gary Schraut who have all completed the necessary paperwork requesting reappointment to the Parks and Recreation Board.

Motion passed 4-0.

Specimen Tree Removal Petition

Consideration for approval to remove 8 specimen trees located at 200 Mt. Fair Avenue, Faith Presbyterian Church and waiver of fees.

Community Development Director Geiger stated that the Faith Presbyterian Church is proposing to build a new Sanctuary. The approximate area of the site is 21.6 acres, and the area involved in the development is 14.44 acres. The Developer has tried to save as many trees as possible. To meet all of the requirements of the site plan it is necessary to remove some trees, as the site is a heavily wooded area. The Developer is requesting to remove 8 specimen trees and not be required to find replacements for these trees. Mr. Geiger agreed it would be difficult to find a place to put the replacement trees.

Motion:

Motion made by Brayton seconded by Lewis to accept Staff's recommendation of approving the removal of the eight

specimen trees identified in the petitioner's tree removal plan, without imposing the replacement of trees or paying a value amount to the City's Tree Fund.

Motion passed 4-0.

Purchase of Police Vehicle

Consideration of purchasing a 2000 Crown Victoria (Police) from Don Reid Ford in the amount of \$22,412 (includes 5 year 75,000 mile warranty) from contingency, and transfer of existing 1999 Dodge Stratus from Police Department to Administration.

Police Chief Tincher stated that even though the Dodge Stratus had been offered as a Police Vehicle for administrative use by several vendors, it is difficult to outfit it with the necessary police equipment.

Motion:

Motion made by Lewis seconded by Wever to purchase a 2000 Crown Victoria from Don Reid Ford and transfer the existing Dodge Stratus to Administration.

Vice Mayor Brayton asked how many vehicles were budgeted for Fiscal Year 2000-2001 for the Police Department. Police Chief Tincher stated two if this process occurred, three if this process does not occur.

Motion passed 4-0.

Surplus Property/Vehicles

Consideration of declaring certain abandoned vehicles surplus.

Vice Mayor Brayton inquired whether the City has clear titles to these vehicles. City Manager Anderson responded that the City applies for the titles.

Motion:

Motion made by Brayton seconded by Lewis to approve.

Motion passed 4-0.

CITIZEN'S INPUT

Specimen Tree Removal Petition

An Officer/Co-Chairman of the Building Committee thanked Council for the approval of the Specimen Tree Removal Petition for Faith Presbyterian Church. He assured Council that the structure would be attractive. The Council was invited to come and help celebrate when the building is complete.

ITEMS BY COUNCIL MEMBERS

E.E. Wever, Jr. Council Member

FLC State Conference - Loan Program

Council Member Wever stated that the smallest amount we can apply for is a line of credit for 1/2 million dollars (revolving line) for 20 years. If it is not used the City could pay a small penalty of \$13,000 to \$15,000 on 1/2 million. The amount the City does not use would be available for others to use. This amount can be used for equipment purchases or operating funds. Council Member Wever is passing this information on to Acting Finance Director B.J. Coryer. B.J. informed Council that Bank America is working with the Florida League of Cities and the representative

has already met with him. The City can apply to borrow money in the Spring or Fall. Council Member Wever also stated that these dollars are funded by Bonds.

USDA - Wells in the City

Council Member Wever inquired as to whether anyone has discussed with USDA if wells drilled in the City violate the Bond resolution. City Attorney Battista reviewed the bond covenants on the '88 and '92 bonds and it does not appear to be in violation. The bond covenants on the USDA Bonds, however, could be construed as a violation. City Attorney Battista has researched some ordinances that would allow the City to regulate irrigation wells.

FDOT Article

Council Member Wever would like the Council to read the recent articles in the newspaper regarding FDOT.

Mary A. Staib, Mayor

Fire Department

Mayor Staib would like Council to be aware of the article in the Florida League of Cities, Datagram, discussing the League opposing the mandatory two in two out Fire Department staffing.

Plant City New City Hall

Mayor Staib inquired if anyone would be attending the Grand Opening of Plant City's New City Hall. To which no one indicated they would be attending.

Florida State Mid-Winter Conference at Elks Lodge

Mayor Staib requested information on the above conference.

Juvenile Justice Board

Mayor Staib notified Council that the Juvenile Justice Board is honoring Ginny Brown-Waite and others. The RSVP is due by September 11, 2000 and the event is being held in the Commissioner's Chamber.

Richard E. Lewis

USDA Bonds

Council Member Lewis suggested Council instruct the City Attorney to approach USDA regarding well issues. Council agreed that a specific response be requested by Staff from USDA.

H. ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 7:50 p.m.

Acting Deputy City Clerk

ATTEST:

Mayor

:bg



FIRST PUBLIC HEARING
FISCAL YEAR 2001 BUDGET
SPECIAL COUNCIL MEETING

September 13, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; B.J. Coryer, Acting Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher, Police Chief. There was a member from the St. Pete Times in attendance.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

SPECIAL AGENDA

Ordinance No. 291-F Adding Department of Community Development to the City of Brooksville

City Clerk Phillips read Ordinance No. 291-F by headnote only, as follows:

AN ORDINANCE OF THE CITY OF BROOKSVILLE IMPLEMENTING ARTICLE IV OF CITY CHARTER, AMENDING ORDINANCE NO. 291- E, CHAPTER 2, ARTICLE 4 (a), ESTABLISHING THE DEPARTMENTS OF THE CITY OF BROOKSVILLE UNDER THE DIRECTION AND SUPERVISION OF THE CITY MANAGER; PROVIDING FOR AN EFFECTIVE DATE.

There was no public input on this ordinance.

Council Member Wever expressed his opinion that he supported the Ordinance but hoped that the Community Development Department would not evolve into a building department.

Motion:

Motion was made by Brayton and seconded by Lewis to approve First Reading of Ordinance No. 291-F. Upon roll call, motion carried 5-0, as follows:

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

Presentation of Proposed Budget

Public Announcement - Ad Valorem Tax Rate (Trim Notice)

Pursuant to Section 200.069, F.S., "Notice of Proposed Property Taxes" (TRIM NOTICE) the ad valorem rate for the Fiscal Year 2001 was advertised to be 10.0 mills. This millage rate would generate a 25% increase over the rolled back rate of 8.0355 mills.

After reviewing revenue projections and proposed expenditure levels for the 2000-01 Fiscal Year, the General Fund budget is balanced at a proposed rate of 8.0000 mills.

City Manager Anderson stated that Council has been provided with a copy of a tentative budget that incorporates the changes made by Council during the budget workshop process. It also includes corrections and updates by staff. He explained that some of the narratives may be expanded on before formal adoption. Pictures, charts and graphs will be inserted as well.

Comparing the old and new versions of the budget, Mayor Staib questioned the location of the Total Capital Project Funds and Multi-year Accumulative Funds in the newer version. Acting Finance Director Coryer explained that Council had previously requested that the single year capital fund be removed and be put into the individual departments.

Council Member Wever informed Council that he has found a number of changes in this version that were not approved by Council at the workshop meeting. City Manager Anderson stated that staff did make some changes but felt that they were all summarized in the attachment presented to Council.

Council Member Wever requested that footnote #1 on page 22 accurately reflect the correct figures for the image system. He called attention to page 34 and expressed his disagreement with both figures for the transfer to the R & R fund. He felt that the first vehicle listed should reflect \$1599.00 per year and the used vehicle from the police department should reflect \$1850.00. City Manager Anderson offered that staff attempted to look at replacement costs and adjust and revise the projected cost as well as what was accumulated up to date to calculate the remaining years. The years of service and life of vehicles have been changed on some.

Council Member Wever requested that the totals be checked on the transfers out on pages 47 and 49.

Council Member Wever expressed his opinion that what is reflected on pages 56 and 57 was not approved by Council and requested that the old version, pages 47 and 48, be reinserted. City Manager Anderson explained that at the budget workshop it was pointed out that it was originally intended that the Community Redevelopment Agency employ a coordinator and a staff person. He stated that at the workshop it was Council's determination that rather than separate personnel and benefit structure, it would be charged to the agency. The 1 ½ staff positions are added to this budget with the agency reimbursing the cost from its budget by contract. Vice Mayor Brayton agreed that it should be reflected in the Community Redevelopment Agency with Council Member Johnston adding that it was discussed at the workshop. It was decided to leave as is.

Attention was called to page 68 by Council Member Wever who felt that the purchase price of the two vehicles listed does not match what is reflected on page 149. He added that he disagrees with all figures listed under yearly transfer. Council Member Wever went on to state that the first sentence on the foot note should be 1995-96 not 1996-97 and stated that the Dodge is not a patrol vehicle and should not be shown as one. City Manager Anderson agreed that it was not a patrol vehicle and would be changed.

Mr. Wever advised that the change in the two vehicles will change the transfer to the R & R fund which will change the figure on page 70.

On page 75, Council discussed the figures which Council Member Wever felt should be changed for the rescue truck calculation. Interim Finance Director Coryer and City Manager Anderson indicated that they would look at it. Council

Member Wever stated that he would provide a schedule as well. Vice Mayor Brayton expressed his opinion that he did not have a problem with how it is reflected.

Council Member Wever called attention to page 81 and stated that while he agrees with the need for the inclusion of the Parks and Recreation pole barn, it was not approved by Council at the workshop. It was decided to leave it in.

Page 94 drew a question from Council Member Wever concerning why the parking lot needs to be resurfaced at the Jerome Brown Community Center building. City Manager Anderson explained that when it was paved under the grant program, the final asphalt was not added because some of the other work there had not been completed. In addition, some adjustments have been made to the driveway entrance area. Council Member Wever stated that it was not included in the budget at the workshop meeting, but agreed that it needs to be done.

Council Member Wever questioned if the portion on the Quarry mentions that the City is trying to lease it again. City Manager Anderson replied that it has not been included but offered that there has been one inquiry. At the present time, it will continue to operate as a division of Parks. Council Member Lewis informed Council that it was his understanding that Council agreed to operate it as long as construction was ongoing on U.S. 41. Council Member Wever stated that Council agreed to advertize it for leasing both this current year and the upcoming year. Parks and Recreation Director Pugh offered that it was his understanding that it would be advertized, but not necessarily with the intent to lease. Council Member Johnston interjected that advertising it would enable the City to look at offers and examine the possibility more closely. Director of Parks and Recreation Pugh expressed his opinion that leasing it should be very closely considered because he has heard from several citizens who feel that the City should keep it. He felt that it would be a good idea to form a committee to examine the possibility of leasing it once the bids, if any, come in. It was decided not to include any language regarding leasing.

It was pointed out by Council Member Wever that the buildings listed on page 111 under building improvements belong to the Sanitation Division and the \$5,000 should not be in the Street Division. Director of Public Works explained that it is the Street Department's share of improvements. Vice Mayor Brayton expressed his opinion that he did not have a problem with how it is broken down and stated that really it should go under General Government because everyone will benefit from the improvements. City Manager Anderson responded that he would provide Council details on what the \$5,000 is for. Mayor Staib requested that a legend at the bottom would be helpful, which Coryer agreed to add. Council Members Johnston and Lewis stated that if the \$5,000 is for building improvements such as the pole barn, they did not have a problem leaving it where it is. The description would be changed.

Regarding the \$500,000 State Water Advisory Panel money, Council Member Wever questioned if the City Attorney had received an answer on whether it can be transferred to the Community Development Agency. City Clerk Phillips responded that after speaking to Brewer and Associates, the indication is that it may be able to be used for other things. Wever felt that if so, the language in the agreements would need to be changed. The City Clerk indicated that she would get with the City Attorney.

Mr. Wever stated that it was Council's decision that all income on the Jerome Brown building would go into the general fund and questioned what the \$20,000 on page 127 reflects. Interim Finance Director Coryer replied that it can be placed in the general fund and treated like the Quarry or Cemetery. Vice Mayor Brayton questioned if the \$20,000 is supposed to be in the transfer out line, which Coryer agreed could be possible and he would check on it. It was discussed whether the Brown account was needed. Pugh stated that Council had discussed at one time that all fees collected other than Jerome Brown fees, would go into McKethan Capital Fund. He added that the \$20,000 is estimated revenue. Coryer offered that the reserve money could be moved to the transfer out showing the transfer to the General fund. Mayor Staib requested a more specific title other than "miscellaneous". It was decided to put the amount in transfers out as an expenditure and make sure it is shown in General fund. Council requested a breakdown of the fees.

On page 132, Council Member Wever called attention to the reduction in the estimated revenues for services. Interim Finance Director Coryer explained that the revenues were changed because USDA advised that the rate increases had not been approved. The rate increase is forthcoming and this estimate is based on nine or ten months of that increase. A lengthy discussion ensued regarding the rate increase and reserves amount. Council discussed the possibility of cutting capital projects to help the reserve figure, such as the Alpine Sewer Rehab project.

Council Member Wever referenced pages 146 and 149 regarding the audit for 1998-99 and the profit reflected of \$27,000. The budget for 2000-01 shows a profit of \$55,000 and felt that the reserve fund should be about \$72,000 instead of \$5,000. If that is correct, the reserve for the fleet purchases could be reduced. Mr. Wever stated that this is another reason why the fleet purchase and R & R Fund for vehicles needs to be taken out of the enterprise fund and set up as a capital project fund. Vice Mayor Brayton voiced his disagreement. City Manager Anderson pointed out that based on Council's earlier discussion, staff attempted to keep the cost of operating the garage separate from the portion set aside to replace vehicles. The \$5,000 is the contingency reserve for a garage operation.

On page 149, Council Member Wever expressed concern with the schedule showing estimates of what something may cost 5 years from now when the monies for that fund or purchase could be invested and earning interest. He pointed out that the audit reports from 1995-99 show a total of \$30,564.00 in interest that has been earned in this account. A lengthy discussion ensued regarding vehicle purchases. City Manager Anderson stated that it was his understanding that Council wanted to show the actual interest for each of the years to offset the amount needed to be added to reach the cumulative amount. Council Member Wever felt that rather than interest shown for each vehicle, a reserve figure and total cumulative amount could be reflected. He explained that he would want it out of the enterprise fund and put into a separate capital projects fund. Vice Mayor Brayton suggested that it remain as is but that Council Member Wever put his thoughts in writing and Council could hold a separate workshop session to change the format in the future. Council Member Wever wanted Council to be aware that the accruals going into this fund before the current budget year have been based on the purchase price of vehicles, not on the projected replacement costs.

There was no public input on the proposed budget.

Recommended Revenue Projections - by Fund (Including Transfer and Beginning Fund Balances):

- (1) General Fund \$6,338,594
- (2) Special Revenue Funds 1,996,764
- (3) Capital Projects Revenue 349,874
- (4) Proprietary Funds 6,667,250
- (5) Trust and Agency Funds 3,736,483

TOTAL REVENUES \$19,088,965

Recommended Expenditures Levels - By Department and Budget Centers:

(1) General Fund Expenditures

General Government \$1,190,663

City Council 53,034

Administration Department 561,191

Community Development Dept. 203,652

Finance Department 395,559

Police Department 1,338,593

Fire Department 1,067,301

Parks & Recreation Department 664,214

Public Works Department 864,387

TOTAL GENERAL FUND EXPENDITURES \$6,338,594

(2) Special Revenue Expenditures

Police Special Education 3,725

Law Enforcement Trust Fund 3,450

Law Enfmt. Invest. Trust Fund 11,100

COPS More Grant 28,000

Police Special Communications 2,500

Police LLEGB (96, 97, 98) 49,391

Road Impact Fees Fund 80,500

Public Bldg. Impact Fees Fund 1,050

Park Impact Fees Fund 3,025

Law Enfmt. Impact Fees Fund 8,300

Fire/EMS Impact Fees Fund 9,350

Local Option Gas Tax Fund 340,523

Jerome Brown Community Center 20,000

Friends of the Children 500

CDBG Projects 1,318,350

Major Storm Readiness Fund 117,000

TOTAL SPECIAL REVENUE FUND EXPENDITURES \$1,996,764

(3) Capital Projects Expenditures

McKethan Park 51,361

FRDAP Grants 177,300

Public Facilities R&M 23,363

Multi Year Capital Projects 97,850

TOTAL CAPITAL PROJECTS EXPENDITURES \$ 349,874

(4) Proprietary Fund Expenses

Utilities-Water & Wastewater 4,376,073

Solid Waste 1,607,445

Vehicle Maint. Inter. Ser. Fund 683,732

TOTAL PROPRIETARY FUND EXPENSES \$6,667,250

(5) Trust and Agency Expenditures

Butterweck Bond Fund 2,000

Special Cemetery Fund 183,000

Donor Memorial Wall Fund 5,800

Fire Retirement Fund 1,581,033

Policemens Retirement Fund 498,250

General Emp. Retirement Fund 118,000

Self Insured Dental Plan 37,500

Community Redevelopment Agency 1,310,900

TOTAL TRUST AND AGENCY EXPENDITURES \$ 3,736,483

TOTAL EXPENDITURES AND EXPENSES \$19,088,965

Public Hearing - Fiscal Year 2001 Proposed Budget

Public Announcement

The Fiscal Year 2001 proposed property tax (the tentative ad valorem millage rate) of 8.000 is below the rolled back rate of 8.036 by .448%.

Approval of Ad Valorem Tax Rate of 8.0000 Mills for Fiscal Year 2001

Motion:

Motion was made by Brayton and seconded by Lewis to approve 8.000 mills for Fiscal Year 2001.

There was no public input.

Motion carried 5-0.

Ordinance No. 613 - Adoption of the Tentative Budget for Fiscal Year 2001

City Clerk Phillips read Ordinance No. 613 by headnote only, as follows:

AN ORDINANCE APPROPRIATING CERTAIN MONIES FOR THE GENERAL OPERATIONS OF THE CITY OF BROOKSVILLE, FLORIDA, FROM ITS SEVERAL FUNDS FOR THE TWELVE MONTH PERIOD BEGINNING OCTOBER 1, 2000 AND ENDING SEPTEMBER 30, 2001.

Motion:

Motion was made by Johnston and seconded by Lewis to approve First Reading of Ordinance No. 613. Council Member Johnston stated that the motion includes changes as discussed and scheduling Second and Final Reading for September 27, 2000.

There was no public input on the ordinance.

Upon roll call, motion carried 4-1, as follows:

Lewis Aye

Wever Nay

Johnston Aye

Brayton Aye

Staib Aye

ITEMS BY COUNCIL MEMBERS

JOSEPH E. JOHNSTON, III, COUNCIL MEMBER

Council Member Johnston advised that he has heard of potential problems at Russell Street Park in the evenings and wondered if there should be hours of operation posted there. It was decided to put this item on the agenda for the next Council meeting. Chief Tincher suggested that Council establish a fine/penalty structure.

ADJOURNMENT

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

City Clerk

ATTEST:

Mayor

:jjb

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REGULAR COUNCIL MEETING

September 18, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; B.J. Coryer, Acting Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher, Police Chief. There was a member from the St. Pete Times in attendance.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA

Renewal of Withlacoochee Regional Planning Council service agreement

Consideration of extending annual agreement for services on an if and as needed basis for additional year through September 30, 2001.

Motion:

Motion made by Lewis seconded by Wever to approve.

Council Member Johnston inquired if the current agreement had been used. City Manager responded that it had not been used.

Motion passed 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

POW/MIA

Proclamation recognizing 9/21-9/24 as POW/MIA Recognition Days.

Mayor Staib read the POW/MIA proclamation in full. The Mayor will be presenting the proclamation at the POW/MIA Recognition event held at the Hernando County Airport on September 23, 2000.

American Business Women's Association Day

Proclamation recognizing American Business Women's Association Day as September 22, 2000.

Mayor Staib read the Proclamation recognizing September 22, 2000 American Business Women's Association Day. Mayor Staib recognized Beverly Lewis as a member of the Tangerine Charter Chapter. Beverly Lewis introduced the new President Durr. The Mayor presented the Proclamation to President Durr. MariBeth Durr thanked the City.

Margaret Ghiotto Residential Beautification Award

Recognition of improvements made to residence located at 246 E. Ft. Dade Avenue owned by Larry and Darlene Montgomery.

The Mayor presented the Award to the Montgomery family.

REGULAR AGENDA

Ordinance #552-C - Police Pension Trust Fund Retirement

Consideration of Ordinance to incorporate amendments proposed by Police Pension Trust Fund Board.

Motion:

Motion made by Brayton seconded by Johnston to continue the Final Reading until October 2, 2000.

Motion passed 5-0.

Resolution 2000 -22 - Group Seat No. 2

Consideration of ratifying Mr. Lewis' election to the Group Seat No. 2 position for a four year term.

Headnote read by the City Clerk as follows:

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA APPROVING THE INCUMBENT FOR CITY COUNCIL GROUP SEAT 2 AND PROVIDING AN EFFECTIVE DATE.

Motion:

Motion made by Brayton seconded by Wever to approve.

Motion passed 5-0 by the following roll call vote:

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

URS Greiner - Consulting Services

Consideration of increasing authorization for services relating to the FDOT U.S.41/S.R.50 JPA Projects, from \$5,000. to \$10,000.

Director of Public Works Pierce stated this is just a continuation of the original \$5,000 contract. Director Pierce would like to continue with their services to investigate some additional delay situations that are coming up and would like authorization to spend an additional \$5,000.

Director Pierce advised there was an existing purchase order to Coastal Engineering for this at \$50,000, which has been reduced by \$40,000. This has been at Coastal's recommendation because URS Greiner is expert in this field.

Vice Mayor Brayton asked the City Attorney if this was possible as now we will have two \$5,000 purchase orders and

this will exceed our purchasing guidelines that state any purchase over \$6,000 will need a bid. City Attorney Battista did not see a conflict with this request.

Motion:

Motion made by Lewis seconded by Johnston to authorize an additional \$5,000 purchase order.

Motion passed 5-0.

N.E. Wellfield Project - PHCC SITE AGREEMENT

Consideration of proposed terms and conditions of Agreement to obtain Easements for wells, tank, and related facilities, estimated costs of \$60,000 to \$65,000 to include \$45,000 payment to PHCC.

Director of Public Works stated that Coastal Engineering has had numerous discussions with Pasco Hernando Community College and he felt that the City should sign the easement agreement. The City had previously looked at a privately owned site that is more costly. He felt the site below the Community College is not a good site and the City would have to go through the County and Dixie Youth League to get approved.

Mayor Staib inquired about the 6.5 years noted in the Contract. The City Manager stated this was a proposal the City considered making that would allow credits against the College's monthly utility payments. Also, the City has authorized Coastal to proceed with test wells to verify this would be an appropriate location for the new wells. The City Manager is recommending that Council allow the City Attorney to arrange an escrow closing for the funds that states we will not purchase if the wells are not appropriate.

Council Member Wever did not agree with crediting the College's Account. He stated it could be interpreted by USDA as a non-charge for services. He would agree to a binder of \$1,000 with the conditions the agreement would only be effective after the test well is drilled and passes all requirements for a consumption well.

Mayor Staib wanted to know if the responses from USDA were in writing or verbal over the phone. City Attorney Battista stated he spoke with Mr. Nadeau at USDA on the phone and he did not have a problem with the main change of a license to a permanent easement. A permanent easement would be the City's forever but the College countered with a 99 year easement which can be revoked. USDA is only concerned about the time frame in which they will be reimbursed, it does not matter to them if it is a permanent easement or a 99 year easement. USDA also mentioned that due to the quid pro quos in this agreement the City may wish to consider those items above market value as City contributions. In addition, the Withlacoochee Regional Water Supply Authority had not seen the latest version of this agreement, but they had no problem with the previous agreement.

Vice Mayor Brayton did not agree that 6.5 years totaled \$45,000. City Manager stated that was an error.

Council Member Johnston voiced his concern that the City is paying approximately \$85,000 to acquire a non-permanent location for water wells to serve the City of Brooksville. He felt the City should investigate other sites that the City could own. He stated the costs include \$45,000 to the College, \$25,000 to construct a service road and another \$15,000 to \$20,000 to improve the College's facilities for the rights to use their property for a period of time. His concern is the College can control the City in the future. Council Member Johnston did not feel comfortable mortgaging the City's future for a well field. He would prefer to purchase property.

Mayor Staib inquired about the third site. Director Pierce stated it was decided to concentrate on the College site because it was the highest and best site. The College seemed to be willing to grant us an easement with no strings attached but since then their governing body has changed. He indicated the City could contact the owner of the third parcel and query them how much they wanted. He recalled that it was a long, narrow 10 acre parcel. Mr. Cliff Manuel, President of Coastal Engineering, stated if the City was to cross the street to the private land there would be ownership issues. Preliminary inquires indicated the property owner would want to sell the City the whole 10 acres. In addition, there are well field issues dealing with private property that do not apply to public sector domain. If the private individual granted the City an easement, the City would have to build a service road the whole length of the property,

to include asphalt, drainage, swales or retention system and SWFWMD issues. At the two public sites the road is already in existence, i.e. Youth Drive. This is one of the main reasons Coastal and the City concentrated on the PHCC site.

Mr. Manuel explained further that the City will have to build a service site to well site #2 that is being extended to the College for emergency access only. Several hundred feet of this road will be built to connect to one of PHCC's roads. Mr. Manuel stated that the City does have a vested interest in water improvements to the college for fire supply. Not only the college but other areas near the college. The City would not offer the college any free water, no additional service, no domestic supply. They would get credit for nothing but tying into their fire system. Mr. Manuel indicated a fire hydrant existing at the college is connected to a dead end line that may not provide adequate water in an emergency. The proposal is to loop that system into the main system and tie eventually into the elevated system. This would greatly improve the City's fire protection.

Mayor Staib asked Mr. Manuel about section 7 of the agreement. It states that if antennas brought income and other uses, the college would get 50%. The Mayor asked the chances of putting an antenna at the wellfield for additional income for the City. Mr. Manuel responded he felt it would be a great location since it is one of the highest places in the County and with an elevated storage tank it would even be higher.

Council Member Wever asked if the water line going out U.S. 98 was on the College side of the road. Mr. Manuel confirmed it was on the College side of U.S. 98. Mr. Wever mentioned if we put wells on the private site the City would have to jack and bore under U.S. 98. Director Pierce stated that would cost a minimum of \$25,000.

Mayor Staib asked about the other location. Mr. Manuel stated this would probably be an easement issue also. The issue would have to be brought up to the Governor and Cabinet as it is State property. The property already has leases on it to the Highway Patrol and others and is a very complicated issue. Council Member Wever stated with his experience previously with that land the State will not sell any of it without going to public sale and any other public body in the State of Florida could acquire it. Council Member Johnston stated the Mental Health Facility owned part of the land. Council Member Wever responded the property was given to the Mental Health Facility and the Highway Patrol, and the County was given a lease for 100+ acres and HYL a lease for 49 acres. All the conditions were they could not be sub-leased or be resold.

Cliff Manuel wanted the Council to know there is a big elevation difference between the PHCC site and the other two sites. His opinion is the best site on North U.S. 98 would be the PHCC location.

Director Pierce did not believe the City will pay anything less moving to another site. He stated even if the State gave us land there would be access roads and other expenses. The private site would cost more than the PHCC site. In addition, if the City chooses to go to another site, Coastal Engineering's contract would have to be adjusted.

City Attorney Battista stated the City is going to have to go to the County for a public facility overlay and get permission from the County Commissioners. This should be added as a condition to the Agreement.

Cliff Manuel agreed and stated the first step would be the test wells assuring the City will have an adequate quantity and quality of water. This would also need to be a condition of the agreement.

Vice Mayor Brayton wrapped up the discussion by saying the escrow would be a certain amount of funds to show a sign of good faith with the stipulation in the contract before final signing off of the agreement that we have adequate well field tests and the blessing from the County.

City Manager Anderson suggested one remaining stipulation that the City receive formal confirmation that it meets Grant funding guidelines. Council Member Lewis added USDA Grant funding guidelines and a 99 year easement. Council Member Wever did not see a need for this.

Motion:

Motion made by Brayton seconded by Lewis to proceed with this agreement with the three stipulations that were

discussed which includes the County overlay, usable consumption water and written confirmation from USDA that this meets their criteria with the escrow.

Motion passed 4-1, with Johnston voting against the vote.

Hope Hill Well Field Engineering Services Contract

Consideration of proposed contract with Coastal Engineering for improvements to the Hope Hill Well Field.

Director of Public Works indicated that we have two wells in the Hope Hill area. One of these wells has never produced the quantity of water that was intended. We have since received a quick claim deed on 16 acres of land in the vicinity. Director Pierce would like to get another 1 million a day well, plus or minus, out in this area to insure our water supply. Director Pierce would like permission to proceed with Task A in the amount of \$12,500 and sub-consultants fees in the amount of \$3,500 for a total of \$16,000. This will include this project with the USDA funding application for the Community College Project.

Mayor Staib inquired about page 5, "Item II Hydro Tank only if needed". Mr. Pierce stated this new well would be remote from the elevated storage tank and the City may want to by-pass the elevated storage tank. This is just a detailed design consideration and is unlikely.

Council Member Johnston asked if the sub-consultant fee was for the Hydro geological testing or the surveying and geo-technical. Mr. Pierce responded the \$3,500 would be for the surveying and geo-technical.

Mayor Staib questioned how the sub-contractor testing firm was selected. Cliff Manuel from Coastal responded that initially proposals were solicited for the well field contract. Since then the same two consultants have been used and they provide a quality service at a good fee. It has not gone to bid since the original selection.

Motion:

Motion made by Lewis seconded by Johnston to proceed with Task A for the preliminary engineering and permitting and the surveying and geo-technical work.

City Attorney Battista would like to proceed with an ownership and incumbrance report since the property came to us in a quick claim deed. Council agreed.

Vice Mayor Brayton questioned the \$16,000 for Task A. Mr. Pierce stated that he is estimating he will need \$3,500 of the \$7,000 in sub consultant fees for the surveying and geo-technical.

Council Member Wever asked City Attorney Battista if the whole contract will have to be redrawn. City Attorney Battista said no. Director Pierce would like approval of addendum #3 with permission to issue a notice to proceed for Task A and \$3500 worth of sub-consultant fees.

Motion passed 5-0.

N.E. Well field PHCC - Additional Discussion

Council Member Wever inquired if the blank in the Contract with PHCC needed to be filled out on the second page in section 4. It was regarding how the \$45,000 would be paid. Vice Mayor Brayton did not think it needed to be completed because the City was not signing off on the agreement. The City Manager commented the Council may want to make a recommendation. Vice Mayor Brayton did not have a problem with staged payments as long as there was not a penalty for pre-payment. Council did not want credits on the Utility Bills.

Motion:

Motion made by Brayton seconded by Lewis to pay \$6,000 a year for 6.5 years with \$6,000. down.

Motion passed 4-1, with Johnston voting in opposition.

Council Member Wever pointed out that section 1 states the agreement cannot be terminated unless mutually agreed upon by both parties or ordered by a Court. City Attorney Battista recommended adding the statement "or under the provisions of the agreement"; for example if we don't take care of or abandon the well site.

Council Member Wever also added in regards to the Hope Hill Well Project, if it is still going on by the 1st of May, the City may be able to apply to the Withlacoochee Water Supply Authority for one of their grants.

Pay Plan Amendment

Consideration of pay increase of 2.5% (one pay grade) for all Employee Classifications, effective with pay period beginning October 5, 2000.

Motion:

Motion made by Lewis seconded by Brayton.

Council Member Johnston stated that the amended budget for last year and the proposed budget for this year is in violation of resolution 93-37 regarding un-designated fund balance. The resolution states that a minimum of 10% un-designated fund balance be maintained in the general fund and a minimum of 1/12 of each department within the enterprise fund be held as un-designated funds. He pointed out by approving this pay plan amendment, we are taking approximately \$121,000 additional out of un-designated reserve which brings our percentage below the target that is set by resolution. City Manager informed Council that the \$121,000 is already included into the budget. Council Member Johnston stated that the percentage is currently 7.60% and the resolution calls for 10%.

Vice Mayor Brayton asked how much is un-designated. Council Member Johnston stated approximately \$481,000. Vice Mayor Brayton stated when the budget proposal comes up, that amount will be covered.

Motion passed 5-0.

"Cheyenne" Landfill - Joint City/County Agreement

Consideration of increasing the City's share for Phase I from \$11,000 to \$14,750 for additional samples for FDEP.

Motion:

Motion made by Brayton seconded by Lewis to approve.

Motion passed 5-0.

Auditor Contract

Consideration of engaging Oliver and Company for a three year agreement to perform fiscal year audits, at \$32,000 per year.

Motion:

Motion made by Brayton seconded by Lewis to approve.

Motion passed 4-1, with Johnston voting in opposition.

Employment Agreement City Manager

Consideration of extending agreement.

Council Member Wever addressed Council and stated if he had researched the past problems of Mr. Anderson he would have voted with Brayton and Johnston years ago; and apologized to them for not doing it. He passed out a memorandum and read it into the record. (Copy attached as part of Official Record.) The memorandum included schedules and some information.

Motion:

Motion made by Council Member Wever not to renew the contract.

Motion died for lack of second.

Vice Mayor Brayton accepted Mr. Wever's apology but stated the time for action was then not now. Ignoring the harassment issue, Vice Mayor Brayton wanted to address some of the issues brought up. Mr. Brayton took the blame for the People's Gas issue as it was continually brought back to Council due his requests. Mr. Brayton feels the other issues are no longer relevant. Vice Mayor Brayton stated he based his opinion on the City Manager's actions over the past few years. He stated, however, he does not always agree with Mr. Anderson's management style.

Motion:

Vice Mayor Brayton made a motion the City amend or add an addendum to the current contract to extend it for two more years, which was seconded by Lewis.

Council Member Lewis stated that everything that he asked Mr. Anderson to do was completed, even issues that they did not agree on. He has seen tremendous improvements in the City. He is proud to say he voted for him before and he will vote for him again.

Mayor Staib agreed. She added that Mr. Anderson has the pulse of the City and knows what the people want. He responds to the citizens in person when necessary.

Motion carried 4-1 with Wever voting in opposition.

Vice Mayor Brayton instructed that the Attorney draw up the addendum and bring it back to Council at the next meeting.

Construction - Status Report

The following comments are from the Director of Public Works

a)Phase I Cobb Road WRF - The final payment for Cobb Road Plant is being processed. The project is finished.

b)Phase II Interconnection

1. Demolition of Croom Road WWTP steel tanks - The steel tanks have been removed and the building will be left temporarily.

2. Final Change Order - The City is working on the final change order with the Contractor and USDA.

c)FDOT S.R. 50/U.S. 41 JPA

1. U.S. 41 18" Gravity Sewer - The Contractor is working on this.

2. Negotiating prices for conflicting boxes - Director Pierce is working on getting prices for this; he expects the cost to be around \$60,000-\$80,000. He believes there is money to handle it.

3. Emerson Road - A large drainage ditch ended up on a 10" water line that was not scheduled to be moved. It could not be lowered due to the line being too thin. The line broke in 3 places and the Contractor was there with equipment so Mr. Pierce authorized him to install an new 12" line. The Contractor agreed to the \$23.50 bid price, which is a deal. There will also be payment due for attempting to move the line. This was a priority due to the concerns involving the two schools. The schools have been on bottled water on and off through out this procedure.

d) Telemetry System - The telemetry system has been satisfactory and the final payment will be made shortly.

F. CITIZEN'S INPUT

NONE

G. ITEMS BY COUNCIL MEMBERS

Pat Brayton, Vice Mayor

Vice Mayor Brayton stated he requested these items be on the Agenda so that the changes could be incorporated in the Budget before the Final Budget Hearing.

- Proposed F/Y 2001 Budget Changes

Consideration of discontinuing Jerome Brown Community Center Special Revenue Fund and including JBCC Revenues as a line item in General Fund Revenue.

Motion:

Motion made by Brayton seconded by Lewis to approve.

Motion carried 5-0.

- Internal Service Fund - Vehicle Maintenance

Consideration of discontinuing transfers for fleet replacement to the Internal Service Fund, and moving the transfers to General Fund Allocated Reserves.

Vice Mayor Brayton stated that the total of the reserve fund is \$453,912. He proposed that this amount be removed from the Internal Service Fund and put in General Fund. He stated these figures include interest, estimated figures of vehicles and purchase cost increase at 10%. Vice Mayor Brayton would like to propose moving the funds from the reserves placing them in General Fund on page 12 line 34A under designated reserves vehicle replacement and look at it further at the Final Budget Hearing to make sure we are in compliance with the Resolution 93-37. All of the vehicles on the chart are General Fund Vehicles and are not Enterprise Fund Vehicles.

Council Member Wever stated that until this fiscal year, the budgets were done on cost, not replacement costs. The maintenance fund portion of this fund has reserves in it, more than the \$5,000 shown in this budget. The budgeted revenues exceed the budgeted expenses which this increases the reserves. Therefore, Council Member Wever is stating the \$453,000 is high. It could be as much as \$100,000 high if the fund was audited. Council Member Wever was concerned about losing control of the fund by transferring the funds into the General Fund. He suggested it be placed in the Capital Fund. Vice Mayor Brayton stated that there would still be a schedule showing the detail similar to page 149 in the Budget Book.

Motion:

Motion made by Brayton seconded by Lewis to transfer funds from the Internal Service Fund considered vehicle maintenance to General Funds line 34A summary expenditures under a designated line item of vehicle replacement.

Motion carried 5-0.

E.E. Wever, Jr.

USDA Well Issue

Council Member Wever inquired if anyone had contacted USDA regarding the well issue. City Attorney Battista stated he had a discussion with Mr. Walden of Gainesville. City Attorney Battista indicated he would get a response in writing. Council concurred.

Bonds Refinancing

Council Member Wever asked if anyone inquired about refinancing 1988 and 1992 Bonds. City Manager Anderson said the Financial Advisors requested we delay this until after the next grant cycle. Council Member Wever disagreed with this and stated he felt that USDA should agree to saving money, as the City is just exchanging one set of bonds for another. Vice Mayor Brayton asked if the discussions were in writing or verbal. City Manager stated they were verbal. Vice Mayor Brayton requested this in writing from the Financial Advisor.

Internal Promotions

Council Member Wever stated he would like to encourage the City to promote from within.

Mary Staib

Correspondence to note

Mayor Staib questioned Item 10 of CTN regarding the site visit of CDBG. City Clerk Phillips responded the letter was confirming there were no deficiencies found.

Leadership Hernando - Government Day

Leadership Hernando's Government Day is Wednesday September 20, and will begin at 8:15 a.m. in the Government Center. At approximately 10:15 the group will proceed to City Hall and after that lunch will be provided at Teen Hall on Ft. Dade Avenue.

Karen M. Phillips, City Clerk

John Capel Welcome Home Picnic

City Clerk Phillips stated that 99.9% of the food is donated for up to 1,000 people. The entertainment is still being planned and the Picnic will be 11:00 am until 6:00 pm on Sunday, October 8th.

H. ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:25 p.m.

City Clerk

ATTEST:

Mayor

:bg

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**SECOND PUBLIC HEARING
FISCAL YEAR 2001 BUDGET
SPECIAL COUNCIL MEETING**

September 27, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; B.J. Coryer, Acting Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher, Police Chief. There was a member from the St. Pete Times in attendance.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

SPECIAL AGENDA

CONSENT AGENDA

Local Law Enforcement Board Grant Committee

Consideration of appointing, Jana Murphy of the Hernando Court System; Roberta Kelly of Juvenile Justice; Ron Woods, City of Brooksville Police; and reappointing Don Scaglione of the State Attorney's Office and Jim Knight of the School Board. Consideration of appointing Ed Tincher as alternate as the City of Brooksville Police Representative.

Motion:

Motion was made by Brayton and seconded by Lewis to approve the September 27, 2000 Consent Agenda. Motion carried 5-0.

SPECIAL AGENDA

Ordinance No. 291-F Adding Department of Community Development to the City of Brooksville

City Clerk Phillips read Ordinance No. 291-F by headnote only, as follows:

AN ORDINANCE OF THE CITY OF BROOKSVILLE IMPLEMENTING ARTICLE IV OF CITY CHARTER, AMENDING ORDINANCE NO. 291- E, CHAPTER 2, ARTICLE 4 (a), ESTABLISHING THE DEPARTMENTS OF THE CITY OF BROOKSVILLE UNDER THE DIRECTION AND SUPERVISION OF THE CITY MANAGER; PROVIDING FOR AN EFFECTIVE DATE.

Motion:

Motion was made by Brayton and seconded by Lewis to approve Second Reading of Ordinance No. 291-F.

There was no public input.

Motion carried 5-0 as follows:

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

Presentation of Proposed Budget

Public Announcement - Ad Valorem Tax Rate (Trim Notice)

Pursuant to Section 200.065, F.S., a review of revenue projections and proposed expenditure levels for the 2000-01 Fiscal Year was conducted. The General Fund budget is balanced at a proposed ad valorem rate for the Fiscal Year 2001 of 8.0000 mills, which is below the rolled back rate of 8.036 by .448%.

Recommended Revenue Projections - by Fund (Including Transfer and Beginning Fund Balances):

(1) General Fund \$6,486,129

(2) Special Revenue Funds 1,976,764

(3) Capital Projects Revenue 349,874

(4) Proprietary Funds 6,148,154

(5) Trust and Agency Funds 2,483,283

TOTAL REVENUES \$17,444,204

Recommended Expenditures Levels - By Department and Budget Centers:

(1) General Fund Expenditures

General Government \$1,320,395

City Council 53,034

Administration Department 560,995

Community Development Dept. 203,652

Finance Department 395,559

Police Department 1,338,593

Fire Department 1,067,301

Parks & Recreation Department 664,214

Public Works Department 882,386

TOTAL GENERAL FUND EXPENDITURES \$6,486,129

(2) Special Revenue Expenditures

Police Special Education 3,725

Law Enforcement Trust Fund 3,450

Law Enfnt. Invest. Trust Fund 11,100

COPS More Grant 28,000

Police Special Communications 2,500

Police LLEGB (96, 97, 98) 49,391

Road Impact Fees Fund 80,500

Public Bldg. Impact Fees Fund 1,050

Park Impact Fees Fund 3,025

Law Enfnt. Impact Fees Fund 8,300

Fire/EMS Impact Fees Fund 9,350

Local Option Gas Tax Fund 340,523

WAP (Water Advisory Panel) Grant 500,000

Friends of the Children 500

CDBG Projects 818,350

Major Storm Readiness Fund 117,000

TOTAL SPECIAL REVENUE FUND EXPENDITURES \$1,976,764

(3) Capital Projects Expenditures

McKethan Park 51,361

FRDAP Grants 177,300

Public Facilities R&M 23,363

Multi Year Capital Projects 97,850

TOTAL CAPITAL PROJECTS EXPENDITURES \$ 349,874

(4) Proprietary Fund Expenses

Utilities-Water & Wastewater 4,376,073

Solid Waste 1,607,445

Vehicle Maint. Inter. Ser. Fund 164,636

TOTAL PROPRIETARY FUND EXPENSES \$6,148,154

(5) Trust and Agency Expenditures

Butterweck Bond Fund 2,000

Special Cemetery Fund 183,000

Donor Memorial Wall Fund 5,800

Fire Retirement Fund 1,581,033

Policemens Retirement Fund 498,250

General Emp. Retirement Fund 118,000

Self Insured Dental Plan 37,500

Community Redevelopment Agency 57,700

TOTAL TRUST AND AGENCY EXPENDITURES \$ 2,483,283

TOTAL EXPENDITURES AND EXPENSES \$17,444,204

Public Hearing - Fiscal Year 2001 Proposed Budget

Restatement of Public Announcement (If necessary)

Council Member Wever advised that while the majority of the budget was acceptable, he wished to point out a few concerns. He began by stating that the Jerome Brown revenue was to be separated into a separate line item like the golf course income.

Mr. Wever continued, calling attention to page 56 regarding Community Development personnel which he felt needs to be separated due to grant money funding constraints. Vice Mayor Brayton pointed out that they are listed in the General Fund and shown as a contract wherein the City would pay the Community Development Department for those employees on an as needed basis. City Manager Anderson explained that there is only \$900.00 available in that fund. The balance is being generated as a transfer from the City's General fund to the agency and will be done on a regular basis and the agency will receive an invoice for staff services. Council Member Wever voiced his opinion that the funds should be left in the agency rather than in the General Fund.

Council Member Wever felt that the vehicle R & R fund should be in the Capital Project funds, not where it is transferred to in the General Fund reserves. He distributed to Council a copy of this calculations setting up the schedule for equipment that is in the fund in addition to his analysis done on the vehicle maintenance internal service fund on page 146. He explained that he took the audit reports and the budget and adjusted the budget. He stated that research of the audit reports beginning with 1996 shows that the maintenance part of the fund had profits each year to the point where the audit for 1998-99 reflects over \$100,000 in reserves in this maintenance portion, which should be shown in the budget. The budget figures for 1999-2000 should be showing a \$500,000 reserve fund in that year. The total reserves in that fund could be used to reduce the charges to the different divisions for services in that fund.

Council Member Wever expressed concern regarding page 132 and the projected reserves of \$259,000 for the end of the 2001 budget year, which he felt are less than what should be in that fund just for the R & R fund alone. The year end reserves for 1999-2000 included the R & R fund. The R & R fund should be made up of \$250,000 from the 1988

bond issue and \$8,000 per month starting in December of 1999, until the amount reaches \$977,000. Council Member Wever stated that looking at the figures from this current year and the next fiscal year, it would be difficult to approve lending any money to the utilities fund. Vice Mayor Brayton felt that Council had concurred that there is \$646,000 in capital outlay for capital projects of which only two have been approved.

Council Member Wever expressed his desire that beginning with the end of the year, he would like to have a copy of quarterly financials for the General Fund and the Utility Fund.

On page 111, Mayor Staib stated that it was her understanding that "building improvement" was for painting and not the pole barn as it is now listed. Acting Finance Director Coryer stated that in this instance it is for the pole barn and the painting of the roof is reflected in sanitation.

Council Member Wever complimented Mr. Coryer for the work he has done on the budget after the departure of the former budget director.

City Manager Anderson advised that the pictures will be inserted in the final budget. He added that some of the organizational and staffing charts will be modified to reflect correct titles. In response to Vice Mayor Brayton's question regarding the transfer on the Parks and Recreation vehicle, Anderson informed Council that one of the vehicles in the Parks should be replaced. He stated that options would be to take the \$5,000 budgeted next year for a truck and buy a used vehicle or to use the funds to internally transfer a used police vehicle. A third option would be to buy a standard vehicle through the state bidding process for approximately \$14,000 to \$15,000.

Motion:

Motion was made by Brayton and seconded by Lewis to set up the \$15,000 in the Parks and Recreation capital outlays for a vehicle transfer from reserves. Vice Mayor Brayton clarified that the \$15,000 would be in addition to the \$5,000.00. Motion carried 5-0.

There was no public input on the budget.

Approval of Resolution 2000-23 - Levying a General Fund Millage Rate for the Year 2000/2001

City Manager Anderson stated that the first formal action would be the resolution establishing the millage rate.

City Clerk Phillips read Resolution No. 2000-23 by headnote only, as follows:

A RESOLUTION LEVYING A MILLAGE RATE FOR THE YEAR 2000/2001 FOR THE OPERATION OF THE VARIOUS DEPARTMENTS AND FUNDS OF THE CITY OF BROOKSVILLE, FLORIDA AND PROVIDING AN EFFECTIVE DATE.

Motion:

Motion was made by Wever and seconded by Brayton to approve Resolution 2000-23. Upon roll call, motion carried 5-0, as follows:

Lewis Aye

Wever Aye

Johnston Aye

Brayton Aye

Staib Aye

Ordinance No. 613 - Adoption of the Tentative Budget for Fiscal Year 2001

City Clerk Phillips read Ordinance No. 613 by headnote only, as follows:

AN ORDINANCE APPROPRIATING CERTAIN MONIES FOR THE GENERAL OPERATIONS OF THE CITY OF BROOKSVILLE, FLORIDA, FROM ITS SEVERAL FUNDS FOR THE TWELVE MONTH PERIOD BEGINNING OCTOBER 1, 2000 AND ENDING SEPTEMBER 30, 2001.

Motion:

Motion was made by Lewis and seconded by Brayton to approve Second Reading of Ordinance No. 613, as amended.

There was no public input.

Upon roll call, motion carried 4-1, as follows:

Wever Nay

Johnston Aye

Lewis Aye

Brayton Aye

Staib Aye

Vice Mayor Brayton expressed the desire that within the next 30 days, he would like Council to consider holding a workshop to discuss the vehicle Repair and Replacement fund and Council Member Wever's concerns.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:30 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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REGULAR COUNCIL MEETING

October 2, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; B.J. Coryer, Acting Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher, Police Chief. There was a member from the St. Pete Times in attendance.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA

City Council Minutes:

September 5, 2000

Image System

Approval to upgrade imaging system software and hardware for an amount not to exceed \$15,000 pursuant to staff recommendation, from Account #001-009-510-64-05.

Mayor Staib called attention to page 6 of the September 5, 2000 minutes and stated that the Florida State Mid Winter conference at the Elks Lodge should reflect that she asked for information on the conference instead of reported on it. City Clerk Phillips indicated that she would change that.

In response to Mayor Staib's question, City Clerk Phillips responded that the purchase does comply with the City's purchasing policy. Mayor Staib further questioned the shipping and handling costs, which Phillips indicated were undetermined at this time. She added that there may be no cost and provided further information regarding the training and the back-up of the entire system.

Council Member Wever called attention to page 6 of the September 5th minutes and stated that the "13 and 15" dollar figures should be "\$13,000 and \$15,000". He further pointed out page two and felt that the minutes should include his statement that any items concerning FDOT projects should be on the regular agenda instead of the consent agenda.

Motion:

Motion was made by Lewis and seconded by Wever to approve the October 2, 2000 Consent Agenda. Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Proclamation - Fire Prevention Week

Proclaiming the week of October 8-14,2000 as Fire Prevention Week. Mayor Staib read the proclamation which was accepted by Fire Chief Daugherty.

PUBLIC HEARING

Ordinance 552C - Police Pension Trust Fund

Consideration of Ordinance to incorporate amendments proposed by Police Pension Trust Fund Board [Approved on First Reading 9/5/00].

City Clerk Phillips read Ordinance No. 522-C by headnote only, as follows:

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF BROOKSVILLE; AMENDING THE RETIREMENT PLAN AND TRUST FOR THE POLICE OFFICERS OF THE CITY OF BROOKSVILLE; AMENDING ARTICLE ONE PROVIDING FOR DEFINITIONS; AMENDING ARTICLE SIX PROVIDING FOR BENEFIT AMOUNTS AND ELIGIBILITY; PROVIDING FOR CONFLICT, SEVERABILITY, AND PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Brayton questioned the section that states that the ordinance shall be retroactive to October 1, 1999. Joe Quinn, Chairman, Police Pension Trust Fund Board, explained that the date of the past plan year is October 1, 1999. Mr. Quinn stated that their pension attorney indicated that modifications to the legislation in 1999 required the board to address issues for expenditures of those monies above those receipts received the year before which required the board to do something for the effective plan year of October 1, 1999. He offered to get more information from the pension attorney if necessary.

Motion:

Motion was made by Lewis and seconded by Brayton to approve Second and Final Reading of Ordinance No. 522-C.

There was no citizen's input.

Upon roll call, motion carried 5-0, as follows:

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

Local Law Enforcement Block Grant (Addendum to agenda)

Review and approval of recommended project priority list for the upcoming funding cycle.

Chief Tincher responded to Mayor Staib's question by stating that the Police Department has four patrol supervisors. He explained that pursuant to federal guidelines, the appointed board considered fourteen projects and prioritized seven of them with cost estimates. Staff is to go forward and determine actual costs on those seven projects. He briefly described that one would purchase a system to read the magnetic strip located on driver's licenses for identification services. Purchase of digital cameras was ranked as another priority project. He explained the other recommendations, such as the inkless fingerprint system, wireless camera system, hidden video system and remote control police car for children safety education purposes.

Motion:

Motion was made by Lewis and seconded by Wever to approve the proposed projects list and authorize staff to make the decision of which should be the priority project.

No there was no public input.

Motion carried 5-0.

REGULAR AGENDA

City Manager - Contract Addendum

Consideration of Contract Addendum No. 1 per Council's Direction.

Motion:

Motion was made by Brayton and seconded by Lewis to approve the addendum and authorize the Mayor's execution. Motion carried 4-1, with Wever voting in opposition.

Northwest Well Field - Site Agreement

Status of PHCC negotiations and consideration of alternative funding terms.

City Attorney Battista stated that staff has prepared an addendum based on Council direction at the last Council meeting. He advised that the addendum would be presented to the PHCC Board of Trustees. He went on to inform Council that Coastal has since advised that the issue of how the City would pay the \$45,000 is being reviewed by the PHCC attorneys. He advised that the PHCC attorneys have indicated that payment in the form of a utility credit would not be acceptable. Council Member Lewis and Vice Mayor Brayton offered their opinion that they did not have a problem with a cash offer.

Motion:

Motion was made by Lewis and seconded by Brayton to pay \$15,000 to be held as a security deposit and \$10,000 for each year for three years thereafter for a total of \$45,000. Motion carried 4-1, with Johnston voting in opposition.

CITIZEN'S INPUT

There was no citizen's input.

ITEMS BY COUNCIL MEMBERS

E.E. WEVER, JR., COUNCIL MEMBER

USDA Rate Changes

Council Member Wever asked why copies of the correspondence dealing with the USDA rate changes had not been distributed to Council. City Manager Anderson replied there had not been any recent correspondence. Council Member Wever thought that the City had sent USDA a proposed change of rates and USDA declined the proposed changes. Mr. Anderson stated that Director of Finance Huffstutler sent USDA an outline of the proposed changes and that USDA forwarded the proposed changes to their superiors. USDA indicated the need for the Water and Sewer calculations to be separated. City staff will administratively divide those funds and send for USDA's further review. At a previous meeting that staff attended at their offices, USDA wanted to focus on the impact of the sewer rates because the City had received those funds. The funds the City requested and how those funds are financed are a separate grant calculation. USDA did not want to combine those two areas.

Council Member Wever inquired if anyone was currently working on this. Acting Finance Director B.J. Coryer stated

he had spoke with Mr. Nadeau of USDA and received some guidance as to what USDA is looking for. Mr. Coryer further stated as soon as the budget issues are settled he would proceed with the final paper work. Mr. Anderson stated Council will be provided with copies of the paper work and may need to approve it. Council Member Wever requested that Council review the paperwork before it is sent.

Resolution 93-37

Council Member Wever requested that Resolution 93-37 be on the next Agenda for discussion.

1988 and 1992 Bond Refunding

Council Member Wever asked if there had been anything new with the 1988 and 1992 Bond refunding. City Manager Anderson responded that the City's Financial Advisor advised the City to wait until USDA made a response to the grant request for the well field expansion before the City gets an answer as to whether or not we can go back into the market. The City does not know if this is considered a refunding or debt financing. Mr. Anderson stated Staff would research further, when appropriate.

JOSEPH E. JOHNSTON, III, COUNCIL MEMBER

Russell Street Park

Council Member Johnston inquired as to the Resolution for the Russell Street Park hours. City Manager Anderson stated that staff spent a lot of time reading memos and minutes. It appears that the City Manager has the authority to establish regulations on the opening and closing of parks. The Public Works Department is researching the prices for signs and the wording for the signs to bring back to the City Manager. Mayor Staib asked what the hours would be. City Clerk Phillips responded the rules change for fenced and non-fenced areas and that the City Manager has the authority to change the times for the non-fenced parks to fit the needs of the Community.

MARY A. STAIB, MAYOR

POW/MIA Annual Recognition Day

Mayor Staib announced she read the Proclamation at the Annual POW/MIA Recognition Day. She stated that the moving Vietnam Wall was the main focus of the event and that it generated a lot of emotion as it is referred to as the Healing Wall.

Ground Breaking Ceremony for the Myrtle Moss Family

Mayor Staib indicated she attended the ground breaking ceremony for the Myrtle Moss Family who has 13 special needs children. Ms. Moss is a Foster Mother and had been awarded last year with the first "Points of Light Award" that Governor Bush had initiated. The fund raising is to move the family from a mobile home into a house. Mayor Staib stated that Ms. Moss truly believes there are no throw away children.

Blood Drive

Mayor Staib announced that she and Sheriff Mylander would be escorting the bicycles for the Blood Bank from the Citrus County Line to the Sun Bank in Brooksville on Sunday October 8, 2000. There will be a blood, organ and marrow drive from 2:00 p.m. to 7:00 p.m. here in Brooksville. This is a complete East Coast Tour from Maine to Key West. The Mayor encouraged everyone who could donate blood to give as blood supplies are short.

Karen M. Phillips, City Clerk

John Capel Olympics Welcome Home

City Clerk Phillips gave an update on the John Capel Welcome Home Activities in the Park. She announced the news media including the Times has done a great job on the publicity and the City hopes to continue publicizing the event

for Sunday. City Clerk Phillips indicated the committee is working on the entertainment and games schedule and that the Tampa Bay Mutiny will be running some contests for the kids. She encouraged everyone to come; the activities would be on Sunday October 8, 2000 from 11:00 a.m. to 6:00 p.m at Tom Varn Park.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 7:42 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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REGULAR COUNCIL MEETING

October 16, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; B.J. Coryer, Acting Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher, Police Chief. There was a member from the St. Pete Times in attendance.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA

City Council Minutes:

September 18, 2000

Motion:

Motion was made by Wever and seconded by Johnston to approve the October 16, 2000 Consent Agenda. Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Proclamation - Elks of the World

Proclaiming the Florida State Mid-Winter Conference to be held October 20-22, 2000.

Mayor Staib read the proclamation, which would be presented at the opening ceremony of the Elks Conference.

Proclamation - Head Start Awareness Month

Proclaiming the month of October as Head Start Awareness Month.

The proclamation was read by Mayor Staib and presented to Gladys Brown, Family Services Manager, Head Start Program.

Proclamation - Florida City Government Week

Proclaiming the week of October 22-28,2000 as Florida City Government Week.

The Florida City Government Week proclamation was read by Mayor Staib and would be forward to the Florida League of Cities. City Clerk Phillips distributed bumper stickers and other related information.

REGULAR AGENDA

SWFWMD Co-Op Funding Initiative

Requesting Authorization to prepare and submit an Application for funding Consideration.

Community Development Director Geiger stated that SWFWMD is currently accepting applications for grant funding for 2001/2002. He stated that staff felt that a City project that may be eligible for this funding would be the Good Neighbor Trail Head and Restoration and Resource Enhancement Plan. The projects would include improvements to the natural drainage creek. The total estimated cost of the improvements would be \$690,000. He explained that it would be a 50/50 grant, with SWFWMD funding half. Geiger stated that the City, through the Florida Communities Trust Agreement, has committed to improvements totaling a minimum of \$481,000. He added that staff would recommend approval to submit the application with the understanding that no money be spent or work done until it came back to Council for authorization. It would be a multi-year program.

Motion:

Motion was made by Brayton and seconded by Johnston to authorize staff to prepare and submit an application for the 2002 Cooperative Funding Initiative. Motion carried 5-0.

Insurance Requirements for Independent Contractors

Approval of revised insurance requirements to exempt passive activities.

Parks and Recreation Director Pugh began by calling attention to the revisions made to the existing independent contractors' agreement. He stated that the changes are based on information from the County, in that they do not require insurance for any passive activities.

Mayor Staib questioned who would pay if an instructor has to provide his own insurance and does not and then goes bankrupt. City Manager Anderson stated that they have to pay in advance.

Motion:

Motion was made by Lewis and seconded by Brayton to approve changes to the Independent Contractors' Agreement.

Council Member Johnston called attention to the third line of item "H" and asked what "CSL" stood for, which Anderson explained was "combined single limit". Johnston requested that it be written out.

Motion carried 5-0.

Jerome Brown Community Center - Equipment Purchase

Approval of purchase orders for purchase of equipment remaining in FY 1999-2000 Budget.

Mr. Pugh explained the list of items needed to finish the furnishing of the Center. He added that there are funds available. Mayor Staib stated that a large sink is a priority and should be included in this list, which Pugh stated could be added.

Vice Mayor Brayton clarified the information provided by stating that there is no carry over or money left over in the JBCC budget but agreed that all funds budgeted were not expended. He stated that this request is to amend the current budget by transferring reserves of approximately \$10,000.

Motion:

Motion was made by Lewis and seconded by Brayton to amend the budget for this year for Parks and Recreation for the specific items requested. The necessary funds will be transferred from the reserves to the appropriate line item account to purchase this capital outlay for the JBCC for the current 2000-2001 budget.

Council Member Johnston questioned how many times a month this equipment will be used, which Pugh indicated was undetermined at this time but that calls are made daily requesting information on renting the facility.

Council directed Parks and Recreation Director Pugh to research options for chairs in the Center such as the possibility of charging an additional fee for renting chairs.

Motion carried 5-0.

CITIZEN'S INPUT

There was no citizen's input.

ITEMS BY COUNCIL MEMBERS

E.E. WEVER, JR., COUNCIL MEMBER

Resolution 93-37

To discuss resolution 93-37 and determine if any changes are necessary.

Council Member Wever advised that he had some concern about the resolution and has drafted proposed changes concerning enterprise funds and other rewording changes for Council's consideration. He stated that his concern is using cash as a basis for figuring reserves, which he felt should be based on current budget expenditures as recommended by rating agencies. He added that the resolution needs to include information on operating, personal services, interest, and capital purchases expenditure expenses used to figure reserve amount. After a lengthy discussion of the resolution, staff was directed to draft the resolution with Mr. Wever's proposed changes for Council's review at a future Council Meeting. City Manager Anderson questioned if Council's intent on the revenues/reserves is to establish a target or a requirement.

Council Member Wever expressed his opinion that any request to take money out of the reserve should be accompanied with figures showing what the unreserve figure is and what it would be after taking the money out and what would be required using the guidelines. City Council agreed by consensus. Mr. Wever further stated this is why he likes to see quarterly reports that show budget, amended budget and actual year to date figures.

Vice Mayor Brayton stated that the City could have between 5% and 6.5% designated unreserved fund balance. He pointed out that then the City could also have contingency reserves for storm damage. Even though those are designated, he advised they are still available and still reserves. In an emergency the Council can use them to keep this balance at the level Council designates.

Vehicle Maintenance

Council Member Wever requested a Special Meeting on Monday October 23, 2000 to discuss Vehicle Maintenance and the Reserve Account. He requested the material he has prepared and material from Acting Finance Director Coryer be available for discussion. ~~Vice Mayor Brayton~~ *Mayor Staib (approved by Council 1/8/01 _____)* asked if the spreadsheets are available. Council Member Johnston stated he would be out of town. Vice Mayor Brayton indicated he would like all Council Members to be present for this discussion so Council agreed on a Special Meeting Wednesday, November 1st at 6:00 p.m.

N. E. Well Field - Minutes

Council Member Wever called attention to page 7 of the minutes of September 18, 2000 which he felt should be adjusted. He stated that Vice Mayor Brayton made a modification to the minutes clarifying the motion should include a down payment of \$6,000, with payments of \$6,000 a year for 6.5 years. It was the consensus of Council to make this change.

Suncoast League Meeting

Suncoast League Meeting is scheduled for Saturday October 21, 2000 at the Jerome Brown Community Center.

John Capel Olympic Picnic

Mr. Wever thanked City Clerk and her staff for a wonderful picnic at the park.

1995 Reserve and Comments

Council Member Wever stated there is a large difference between the current Council and the past Council. A few years ago there were sewer systems and plants close to being condemned, employees had salaries frozen, most of the City's equipment and vehicles were in poor condition. Mr. Wever indicated all of these problems have been resolved and other substantial improvements have been made including the new City Hall and at the Park.

JOSEPH E. JOHNSTON, COUNCIL MEMBER

Vacation

Council Member Johnston informed Council that he would be on vacation the next week.

MARY A. STAIB, MAYOR

League Meetings

Regarding the recent memorandum that was sent to Council requesting direction on when City personnel should attend League meetings, Mayor Staib felt that when a meeting was local City personnel should be able to attend. When meetings are out of town, depending on the subject, some members of the City may be required depending on their expertise; i.e. Criminal Justice Committee may include a member from the Police Department.

RICHARD E. ANDERSON, CITY MANAGER

Suncoast League Meeting

City Manager Anderson advised that the Department Heads would be attending the Suncoast League meeting on Saturday.

KAREN M. PHILLIPS, CMC, DIRECTOR OF ADMINISTRATION

Teen Leadership Hernando

City Clerk Phillips announced that the City will be hosting the Teen Leadership group from 8:30 a.m. until 10:30 a.m. on Tuesday October 17, 2000.

Brooksville Again - Antique Street Fair

City Clerk Phillips reminded everyone that on Saturday, Brooksville Again will also be holding the Antique Street Fair from 9:00 a.m. until 4:00 p.m. The Auction will begin at 6:00 p.m.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 7:55 p.m.

City Clerk

ATTEST:

Mayor

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SPECIAL COUNCIL MEETING

November 1, 2000 6:00 P.M.

Brooksville City Council met in special session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; B.J. Coryer, Acting Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk and William Smith, Superintendent of Utilities.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

REGULAR AGENDA

Vehicle Replacement Fund

Review of alternative approaches to determine annual replacement contribution levels.

Council Member Wever stated that he had recently distributed to Council one of the schedules that he had originally requested to be placed in the packet. He began by stating that the maintenance fund without the renewal part is off as far as the reserve funds are concerned. He explained that he has provided information in line with the budget figures and the audit figures and adjusted the budget figures based on the audit for the previous year. He further went on to explain the process using the audit reports from each year through 1998-99 to establish replacement reserves. He stated that the 1999-2000 amended budget would show almost \$96,000 in reserves for the maintenance fund and over \$509,000 for the fleet replacement fund. After taking out the maintenance fund, the budget approved in October, 2000, has only \$5,000 reserve in it.

Per Council Member Wever, based on the budget figures, Council transferred \$453,912 to the General Fund as the reserves for the fleet replacement fund which total he added is actually more than that and will be increased even more after the results of this past audit. There is a total of about \$97,000 in profits in just the maintenance part of the fund, according to Wever.

Vice Mayor Brayton stated that most departments show a profit in this category at the end of the year that is absorbed back into reserves and is not shown. These are carry forwards that are actually shown as carry overs.

Wever outlined the City's options on the maintenance fund reserve: transfer to the General Fund as a general committed part of the reserves of the General Fund; keep it and prorate it as a rebate back to the different divisions based on their payments to the maintenance department/maintenance fund; or leave in the fund and let it reduce the future charges for services.

There was discussion on what had been appropriated in the current budget and the financial effects thereof. There was further discussion on whether this should be considered as a true Enterprise Fund or simply an internal service fund.

Council Member Wever reviewed his interpretation of how the budgeted figures should be adjusted once final figures are known as a result of the annual audit and how that would affect the City's financial picture, as outlined in his memorandum.

Council Member Johnston stated that if the fund balances are carried over into reserves, the City's new financial software will assist Council in getting an idea of how much funds are available at that point. He stated that he had suggested to the City Manager that any funds leftover could be used for additional street paving and repair, which is related to vehicle maintenance. Council Member Wever agreed, as long as there are enough reserves in the General Fund. He added that each time excess funds are available, Council should determine where those funds could best be used or just transfer the funds into the general reserves.

Mayor Staib asked when the new computer software will be functional, to which Coryer responded that the majority of it is on line at this time. It is a matter of loading the new budget into the system once the numbers are finalized.

Council Member Wever again emphasized the fact that Council needs to amend the budget when the final figures are determined so that there is a current budget more accurate than just going from budget to budget without any amendment for the actual figures. He added that Council also needs a report that shows the original budget and the amended budget and the actual year to date figures.

Vice Mayor Brayton questioned if staff currently does a formal amendment when the audit figures are finalized. City Manager Anderson responded that the budget is amended if, based on the current audit report, a department's total expenditures exceed the budgeted bottom line amount.

Council Member Wever stated that during the year, as Council approves changes in the budget, the amended budget schedule should also be changed. In response to Vice Mayor Brayton's question, Wever clarified that every time the Council makes a change in the budget by taking money out of reserves to cover excessive expenses, there should be an amendment. Vice Mayor Brayton stated that he did not have a problem with that method, but added, however, that most of those type of transfers are done as an inner departmental line item transfer and if the money utilized in that department has not yet exceeded that department's total, he did not believe it would warrant a budget amendment. He felt that the budget amendments Mr. Wever is referring to are anything that is specifically pulled out of reserves for a specific project, which he added that he did not have a problem with.

Council Member Wever advised that pursuant to Florida Statutes another thing that would require a budget amendment would be if the revenues are projected to fall short of what is budgeted. Vice Mayor Brayton offered that the City would not usually know that until the fiscal year is nearly over. Council Member Wever interjected that the key is to do it if the City knows that the revenue is not going to be what is budgeted.

City Manager Anderson cautioned that the budget should not do something that it is not intended to do. He added that he interprets the Statute to require that if there is going to be a shortfall in revenues, the budget needs to be adjusted. That does not necessarily mean every line item within the revenue section would have to be adjusted. He stated that if total revenues are less than what had been estimated, then the real concern would be trying to figure out why that happened.

Vice Mayor Brayton stated that he does not want to see every agenda reflecting budget amendment requests for such items as a vehicle costing \$1,000 more than estimated or a road costing \$200.00 less to repair. He agreed that if the City knows that there will be a shortfall in revenues or an excess in revenues, there should be an amendment. Council Member Wever interjected that an amendment should be required for anything that affects the year-end projected reserves and that the amended budget should be produced quarterly.

Council Member Johnston felt that there would usually only be occasional capital expenditures or pay plan adjustments that would affect the reserve amount. Council Member Wever stated that technically, any line item changes are an amendment but he did not feel that is the purpose of the Statute. Johnston stated that Council should be aware of line item changes, but did not feel a budget adjustment should be necessary.

Council discussed the report outlining versions to be used for calculating the vehicle replacement fund, specifically Council Member Wever's method for determining the accumulated replacement costs of police vehicles. Anderson stated that Mr. Wever's version reflects numbers using approved budget figures. Wever stated that he disagreed with a ten year life on the street department vehicles, which he felt should not extend past 7 years, as reflected on his schedule. He informed Council that the biggest difference from his calculations were the method of replacement funds

from the "Jack Rabbit" (Fire Dept. Rescue) vehicle purchase being applied to the Rescue Truck.

Council Member Wever expressed his opinion that there should be no need to try to guess what a new vehicle will cost 5 or 10 years from now. This cost should be based on the actual purchase price and the level of accrual should be based on the years of life assigned to it. He added that each year the overall income for the fund should be put into a reserve and if a vehicle being purchased costs more than the original purchase price, the excess should be taken out of the reserve fund. If it is ever depleted, then in that budget year, the excess cost of the vehicle over the original cost should be covered from current expenditures. Director of Finance Coryer explained staff's position is the versions contained in the report.

Anderson agreed that there is no problem in taking the Vehicle Maintenance Fund and using any parameters agreed upon by Council. He advised, however, the whole budget is based upon projected cost increases. To say that the vehicle portion will not include any cost increases is fine as long as Council is fully aware of what will be reflected. A footnote in the budget can be included. He stated that internally, details of the purchase of vehicles will be kept for record keeping purposes.

Vice Mayor Brayton stated that although he understands Mr. Wever's viewpoint, he would still like to see what is set aside for each vehicle with the interest as a separate item on the total fund.

Wever reiterated that the interest earned on the set aside money should be added to the reserves and then used when a replacement vehicle is purchased. He added that when one of the vehicles purchased is subsequently surplus, whatever is received should be put into the reserves as well to defray the replacement costs of other vehicles.

Brayton summarized Mr. Wever's concern that vehicles be replaced with actual costs instead of trying to guess what something is going to cost ten years from now, which Council agreed to by consensus.

Council Member Wever stated that he has gone back into the budgets and found where some purchase price calculations were prepared using a five year guess basis and the calculation method of some figures could not be determined. He stressed the need for accuracy rather than guesses. His recommendation would be to use the purchase price on the straight level accrual basis, based upon the life assigned to the vehicle. Director of Finance Coryer advised that the auditor's main concern with any methodology used is the need for consistency.

Wever stated that he has gone through the departments on the purchase of vehicles, specifically in the Police Department, which was using a guess of five years to determine the purchase price. Anderson offered that if the budget reflects that, he agreed that it was incorrect.

Council Member Wever stated that Council needs to give direction that vehicle replacement will be accrued on the purchase price over the life of the vehicle or the adjusted life of the vehicle. That determined amount would be then put in reserve. Vice Mayor Brayton clarified that to delete any inconsistencies would mean that backtracking five years would be necessary to recalculate at purchase prices.

Council discussed the differences in Version 1 and Version 3, which is using the replacement cost in Version 1 as opposed to the purchase price in Version 3. It was pointed out that Version 3 is taking whatever the City has put into the reserves to date towards the actual purchase price and the difference left is divided by the amount of the years remaining on the life of that vehicle.

The specific life of vehicles was discussed, wherein Council Member Wever felt that the Public Works trucks should not have a life longer than seven years. Council Member Johnston stated that he would not have a problem scaling it back to seven years, but he indicated he would not want this or future Councils to replace a vehicle automatically at the seven year point if they are still serviceable, to which Council Member Wever voiced his agreement.

Vice Mayor Brayton called attention to Version 3 and felt that it would come close to addressing Mr. Wever's concerns. Council Member Wever again stated that he has a problem with the trade of the Jack Rabbit, but did not have a problem with the methodology of Version 3.

Council Member Johnston questioned where the interest earned is shown in Version 3. City Manager Anderson stated that it is added back into the reserve contingencies.

Motion:

Motion was made by Brayton and seconded by Johnston to approve the methodology as presented in Version 3 of Council Member Wever's report, as follows: "Use of actual purchase price to calculate departmental transfer fees based on years of usage." Motion carried 5-0.

Motion:

Motion was made by Wever and seconded by Brayton to set seven years as a maximum life with the exception of the fire engines. Anderson stated that it will raise the contribution level, which was acknowledged. In response to Director of Finance Coryer's question, it was decided that the seven year life would not apply to the Police vehicles either. Motion carried 5-0.

Council discussed the Jack Rabbit replacement funds being applied to the Rescue Truck. City Manager Anderson offered to bring back to Council information regarding those calculations, showing the activity of the funds involved. This would include the opening balance, this year's contribution, revenue coming in, transfers in the appropriate department, and funds taken back out and put into the General Fund expenditures that show the offset.

Council Member Wever voiced his opinion that the capital project funds should not be reflected in the General Fund. Coryer interjected that the Vehicle Replacement Fund was moved in the General Fund as a reserve for vehicle replacement, which means to use the money, it must be approved by Council. Council Member Wever clarified that the cash has to be set aside for it. Wever went on to state that the fund currently reflects an operating fund for maintenance, reserve fund for replacement and transfer of money in to buy new vehicles. He requested that the funds should be separated to create ease in determining how each are operating. Vice Mayor Brayton clarified that currently the money is in a designated reserve and that Mr. Wever would like to see it separated such as capital projects vehicle replacement with a detailed description and the revenue as a separate line item as a reserve for replacement.

Discussion ensued regarding the procedure that actually takes place when the capital purchases are made the funds involved in the purchase.

ITEMS BY COUNCIL MEMBERS

KAREN M. PHILLIPS, CITY CLERK/DIRECTOR OF ADMINISTRATION

Florida Outstanding Community Ceremony

City Clerk Phillips reminded everyone of the ceremony to be held at 1:00 p.m. on November 2, 2000.

MARY A. STAIB, MAYOR

Cloverleaf ~~Bizarre~~ Bazaar [approved by Council 2/5/01_____]

Mayor Staib informed Council that there would be a woman's ~~bizarre~~ bazaar [approved by Council 2/5/01_____] at Cloverleaf from 8:30 a.m. to 12:30 p.m. on November 4th.

Sheriff's Fraud and Scam Program

Mayor Staib stated that the Sheriff's Fraud and Scam Program would be held at the Elks on Nov. 4th beginning at 8:00 a.m.

RICHARD E. ANDERSON, CITY MANAGER

Fine Arts Council

City Manager Anderson stated that the Fine Arts Council will be holding a fashion show on Nov. 4th.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 7:25 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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REGULAR COUNCIL MEETING

November 6, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; B.J. Coryer, Acting Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher, Police Chief. There was a member from the St. Pete Times in attendance (7:20 p.m.).

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA

Authorize Mayor to execute Amendment #2 of agreement with Florida Department of Corrections for Work Release Program (renewal from 11/17/2000 through 11/16/2001) at an annual cost of \$42,510.

Acceptance of FY 2000 Local Law Enforcement Block Grant (LLEBG) Grant Award in the amount of \$21,016 with a \$2,335 City Match requirement and authorization for City Manager to execute.

Ratification of recommended appointment of John Stenger, Jr. to the Police Pension Trust Fund Board for a two year term of office through November 30, 2002.

Motion:

Motion was made by Lewis and seconded by Johnston to approve the November 6, 2000 Consent Agenda.

Council Member Wever questioned if the prison agreement was for two guards. City Clerk Phillips stated that it is increasing the salary of one guard. She stated that one of the agreements is still outstanding.

Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Proclamation - "National Epilepsy Awareness Month"

Proclaiming the month of November, 2000 as National Epilepsy Awareness Month.

The proclamation was read by Mayor Staib, which would be forwarded to the Committee on Epilepsy Awareness.

REGULAR AGENDA

Ordinance No. 614 - Evaluation & Appraisal Report (EAR)

Consideration of adoption of EAR for the Comprehensive Plan.

Ordinance No. 614 was read by headnote only, as follows:

AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA, PROVIDING FOR THE ADOPTION OF THE EVALUATION AND APPRAISAL REPORT FOR THE CITY OF BROOKSVILLE COMPREHENSIVE PLAN PURSUANT TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND

DEVELOPMENT ACT, CHAPTER 163, PART II, FLORIDA STATUTES, MINIMUM CRITERIA FOR REVIEW OF LOCAL GOVERNMENT COMPREHENSIVE PLANS AND DETERMINATIONS OF COMPLIANCE, CHAPTER 9J-5, FLORIDA ADMINISTRATIVE CODE, SCHEDULE FOR TRANSMISSION AND SUBMISSION OF LOCAL GOVERNMENT EVALUATION AND APPRAISAL REPORT, CHAPTER 9J-33, FLORIDA ADMINISTRATIVE CODE; PROVIDING THAT THE ORDINANCE SHALL BE CALLED THE EVALUATION AND APPRAISAL REPORT FOR THE CITY OF BROOKSVILLE COMPREHENSIVE PLAN; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATE.

Community Development Director Geiger stated that there had not been many changes in the document from the last time Council reviewed it.

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Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

Council was requested to bring their EAR report to the next meeting.

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City Manager Anderson stated that the consulting engineer indicated that there were other sites, but it is the engineer's recommendation to go with this site.

Director of Public Works Pierce commented on any other potential properties that would be suitable for this use. He stated that all sites will involve expense, similar to what is involved in the PHCC site, including a built-in road. He further stated that the college site is the highest elevation.

Council Member Lewis stated that he would like to pursue other avenues. He was concerned about all the demands and "add-ons" through the negotiation process with PHCC. He expressed his support of researching sites across the road from PHCC.

Director of Public Works Pierce suggested that Council authorize he and the City Attorney to contact the property owners and open up negotiations.

Motion:

Motion was made by Brayton and seconded by Lewis to place this agreement on hold and authorize Pierce and Battista to look into negotiations of other properties.

Council Member Lewis suggested that the Public Works Director, Consulting Engineer and City Attorney find out the exact elevations of the possible site locations.

Motion carried 5-0.

Resident Inspection Services - Phase II Project

Proposed Amendment #6 to Civil-Tech Engineering Services Contract in the amount of \$5,082.06 for additional resident inspection services.

Director of Public Works Pierce stated that all funds previously approved for this project have been exhausted and recommended that the additional amount be approved. He added that there are adequate funds in the USDA account. He stated that he has a final change order for Phase II, which should be presented to Council for approval at the next Council Meeting.

Council Member Johnston questioned the referenced "unforeseen difficulties in obtaining satisfactory as-built drawings", which Pierce advised was due to complications cited by the contractor. Pierce acknowledged an error in the \$42.35 per hour computation.

Motion:

Motion was made by Johnston and seconded by Lewis to approve amendment #6 to the Civil-Tech Engineering Services Contract in the amount of \$5,082.00 for additional resident inspection services. Motion carried 5-0. City Manager Anderson interjected that it is a "not to exceed" amount.

Transfer of Equipment with County

Authorization to negotiate trade of 1987 City Gradall for used County Tandem Axle Dump Truck.

Motion:

Motion was made by Brayton and seconded by Lewis to approve trade negotiations of a 1987 City Gradall for a used County Tandem Axle Dump Truck. Pierce responded to Council Member Wever's question by stating that he has spoken to the County road department, who have indicated that they have three used dump trucks that will be considered.

Motion carried 5-0.

City Welcome Sign

Authorization to place Welcome Sign and utilize \$6,039 from the remaining proceeds in the Florida Power Relief fund.

Tony Covell advised that redwood would be used and requested authorization to proceed with the project.

Motion:

Motion was made by Brayton and seconded by Lewis to approve the project.

Council Member Johnston questioned what the \$6,039 would be used for. Sherry McIntyre stated that those are the funds available but did not know if the entire amount would be used. She stated that there would be costs associated with the foundation, brick work, caps on it and the double faced sign for approximately \$4,370. The additional funds would be for irrigation and planting. In response to Council Member Lewis' question, McIntyre responded that it is their intention that the sign would be lighted.

Council Member Johnston questioned the location for the sign, which he felt was one of the least traveled entrances into the City. Sherry McIntyre responded that it was chosen for its ease in being able to get it done. The other locations involve easements and are complicated by road construction. Once one is completed, they can promote it to the businesses for support of future signs.

In response to Mayor Staib's question, City Clerk Phillips stated that they are planning at this point to hold another Releaf Sale in the spring of 2001 depending on participation by the new owners of the electric company.

Council Member Lewis questioned if there would be any potential liability being located in the apex. City Attorney Battista responded that this is not located in the City limits, however, he believes that the City would assume responsibility ownership and maintenance. He added that before it is installed, the County Engineer's office should be contacted to ensure that it meets construction requirements. Council Member Wever agreed, offering that it will need County and FDOT permits.

Community Development Director advised that it is not located in public right-of-way, but on private property. He acknowledged that it will need to go through County permitting. Vice Mayor Brayton stated that the County should be advised that the City Council is requesting support of the project.

Motion carried 5-0.

On another topic, Covell informed Council that Florida Power reviewed relocation of the power lines, eliminating all the primary lines on Main Street and U.S. 41 in the downtown area, and has determined a preliminary budget of \$150,000 - \$200,000. Regarding gas lights for downtown, Covell stated that the project was temporarily on hold, but a plan should be presented to Council shortly. Tony Covell responded to Vice Mayor Brayton's question by stating that although Florida Power has met with him and the City, the plans for relocation of the power lines are preliminary at this time. Community Development Director Geiger stated that at some point, the plans will be more formalized for CDBG grant implementation purposes. City Clerk Phillips stated that DCA has requested agreement acceptance by December 6, 2000, so it will be presented to Council at the November 20th or December 4th Council meeting.

In response to Council Member Lewis' question, Covell related that there should be no effect to the canopy trees on secondary streets.

Vehicle Transfer Fund

Review of Fire Rescue Vehicle purchase and replacement cost calculations.

Acting Director of Finance Coryer went over staff's recommendation on how to compute the value of the new vehicle, trade-in value, transfer fee, and money going into the replacement fund.

Council Member Wever voiced his opinion that the reserve built up on the old vehicle should be transferred to the new vehicle. Coryer stated that Council has the option of transferring the difference or the unused portion out of the replacement fund back into the general fund undesignated reserves or it can remain in the fund and be used as a credit against subsequent transfer requirements.

Council Member Wever recalled that at the Special Meeting, Council decided to use the cost figure as the

basis of the accrual and life of the vehicle to determine the annual amount of transfer. He questioned the effective date of the decision. Vice Mayor Brayton stated that was his understanding that it was for this budget year. Coryer confirmed that, stating that Council also indicated that there would be a maximum cap of 7 years for all vehicles.

Council Member Wever voiced his opposition to the fact that this schedule indicates that the amount is based on replacement estimates instead of what was approved in the budget and that Council wanted the accumulation to be done on the cost basis. Council Member Johnston clarified that Council agreed at the Special Meeting that the schedule needed to be revised to show actual cost and accumulated payments up to date and amortize the balance of the remaining estimated life of the vehicle not to exceed 7 years.

Council Member Wever stated that the accumulated payments into the fund have not been what this Council approved in the budget. He added, therefore, that he was no longer in agreement on the method approved at the Special meeting on November 1, 2000. He further requested a transcript of this reserve from the time it was started up and through the end of September 30, 2000 so that he could check the transfers into there against the budget figures to see how much difference there is for further calculations. He also requested a copy of the statute that says that the City cannot put this fund into the capital project funds.

The new schedule would be provided to Council.

Transportation Issues

a. Transportation Project Priorities

Review of MPO FY 2000-2005 Prioritization List for MPO Board consideration at Public Hearing on 11/9/2000.

Dennis Dix, County Transportation Coordinator, began by stating that every three years, the MPO goes through a 20 year plan update. In December 2001, the MPO will adopt a new plan, which impacts the 10 year interim plan and 5 year work program. The particular item that will be before the MPO on November 9th is Transportation Enhancement Projects. He stated that the original planning level cost estimates for sidewalk improvements now include engineering cost estimates and the figure has nearly tripled and the list of what was 25 projects for funding is now much shorter. Dix stated that the MPO has attempted to preserve everything listed as high priority and the sidewalk and bulb-out projects will remain. He advised that the sidewalk improvements are taking much staff effort as it deals with FDOT negotiations. They are attempting to include the bulb out project in Fiscal Year 01-02, which design plans may be finalized in the summer of 2001. Funding for Phase I of the Good Neighbor Trail project should be in the 3rd or 4th year of the program and the project has been extended to Jasmine Drive. Phase II and Phase III funding will hopefully be thereafter. Funding for the South Main Street sidewalk will be included.

Regarding the bulb out project, Community Development Director Geiger advised that turning radiuses are being looked at as it relates to impact of traffic flow. Dix responded to Vice Mayor Brayton's question by stating that a conceptual design was completed two years ago which took FDOT 18 months to approve. The project was halted by FDOT because a final design was not completed. The final design will be brought back to Council for approval before submittal to FDOT.

Sherry McIntyre questioned if changes in Rural Communities Rule may affect the one-way pairs and subsequently affect the bulb out project. Dennis Dix stated that the legislation passed in 1999 gives more flexibility to local governments. The idea is to protect the Florida intra state highway system, which is U.S. 19, S.R. 50 and the Interstate and toll road. FDOT is less concerned now with level of service on minor arterial roads. This is the time to present the bulb out project and presenting their opposition to extending the one-way pairs and reversing the current one-way pairs. He stated that FDOT's position up to this point has been

that they are not going to consider it. They have relayed now that it is negotiable. However, if Council wishes to make that request, the other projects, such as the redesign of Mildred Ave., and improvements to the Ponce de Leon/Jefferson intersection will have to be reconsidered. Council Member Wever stated that if FDOT would move U.S. 98/700 and 50A, that intersection would not need improvements. Dix related that the transfer will occur, but it will be 8 or 9 years from now. Dix offered that FDOT may not want to change their position on the improvements needed on Ponce de Leon and Jefferson Street because of current traffic stacking issues. Ms. McIntyre questioned if there were any budgeted projects that could be transferred towards the reversal of the one-way pairs. County Transportation Coordinator Dix responded that there is \$.8 million in the 4th year of the program to do the intersection at Ponce de Leon and Jefferson and \$.3 million for the Mildred Ave. intersection improvements which is scheduled in two years. If the City does not want to do those projects, the City can propose to use the funds elsewhere in the City. Dix added that historically the MPO has supported any projects that the City has requested through its direction from City Council. At one point, FDOT gave a cost estimate of \$400,000 to revert the streets back to two way. FDOT has asked if the MPO is authorizing them to start on the extending of the multi-laning on U.S. 41 through the Jefferson intersection on Ponce de Leon. Vice Mayor Brayton stated that if the object of Council is to push the heavier traffic to the truck by-pass, then multi-laning that particular section is counterproductive. Dix advised that FDOT is insisting that the intersection must be designed for trucks to include big turning radiuses. Council Member Wever offered his suggestion that FDOT should be told that the City does not support that.

Dennis Dix informed Council that he will present the other projects within the next 6 months.

Regarding improvements on U.S. 41, Dix advised that due to the new parkway, the long range 20 year plan includes only 4 lanes to Spring Hill Drive where the six lanes currently stop.

Dennis Dix offered that the County will be applying for two projects; 1) County wide traffic control system and 2) right-of-way on County Line Road.

Council Member Johnston reminded Council that their past position was that the City does not want the one-way pairs, but if they cannot be reversed, and City funding is in jeopardy, so the City wants the Mildred Ave. intersection improved.

Motion:

Motion was made by Brayton to have City representatives inform the MPO that the improvements to the one-way pairs and the improvements to the intersection at West Jefferson and Ponce de Leon be reevaluated to see if those funds can be kept for other City uses. Johnston advised that the City should relate where they wish the funds to be redirected to. Brayton clarified that the City would like to utilize those funds to revert back to two-way traffic flow, eliminating the one-way pairs. Dix stated that since FDOT has already expended some money for design work on improvements to the two intersections, they may request reimbursement. He stated that the Council's direction may better be phrased to state "delay" the projects, rather than "cancel" them.

After discussion, motion was withdrawn. Council Member Johnston stated that as the MPO representative, he can relay Council's position. Dennis Dix stated that direction must be given to the MPO by December 7th, in conjunction with the FDOT annual 5 year work program workshop/public hearing.

Motion:

Motion was made by Johnston and seconded by Brayton to request the MPO to delay the Mildred Ave. and Ponce de Leon/Jefferson improvements and have staff address the allocation of those funds towards reevaluating the one-way pairs and necessary intersection improvements. Motion carried 5-0.

b. Transportation Outreach Program Advisory Council 2001 Grant

Authorization to apply for above grant funding in the amount of \$120,000 for a Brooksville Shuttle Bus.

Community Development Director Geiger explained the grant and stated if the City can show that they are improving traffic choices, the City may be eligible and may submit an application for this funding. He added that the grant is due November 8th. Council Member Johnston questioned if this would be part of the MPO's mass transit program, which Geiger confirmed. It was pointed out that this will ensure that there will be a full time shuttle within the City. Dix confirmed that this may be 100% funding for the vehicle, but if there were any matching monies required, it would come from the County/MPO. The operating budget for this additional bus was included in the MPO transit plan.

Motion:

Motion was made by Johnston and seconded by Lewis to authorize staff to apply for the grant for \$120,000 for a shuttle bus for the City of Brooksville. Motion carried 5-0.

Community Development Update

- a. EAR (See Agenda Item No. E-1)
- b. CDBG Grant Application
- c. Good Neighbor Trail
- d. Revitalization Plan (See Agenda Item No. E-5)

Community Development Director Geiger stated that most of the items had been covered, but advised that the Good Neighbor Trail Committee had been meeting on a monthly basis. The Committee is going through and prioritizing the list of committed items in the Florida Communities Trust Agreement. They will be obtaining quotes to get a boundary survey done where the trail head will be located, but it is hoped that there will be no cost for that. There will be costs associated for engineering when that point begins. He stated that the funding for those costs may include looking at the capital improvement funding, grant opportunities and MPO project funding.

Geiger stated that he had been in contact with FDOT regarding the signs related to the Outstanding Rural Community of the Year, which has committed to put signs up at the three other major entry ways to the City.

Geiger responded to City Manager Anderson's question by going over the timetables involved in the different phases of the Good Neighbor Trail project.

CITIZEN'S INPUT

Friends of the Children

Tony Covell commended Parks and Recreation Director Pugh for his efforts in the Friends of the Children event recently held.

ITEMS BY COUNCIL MEMBERS

RICHARD E. LEWIS, COUNCIL MEMBER

Jerome Brown Community Center

Use of JBCC for private functions.

Council Member Lewis stated that there have been requests to use the Jerome Brown Community Center, some of which have included requests to be allowed to have alcoholic beverages, which is prohibited at this time. He stated that he would support alcohol beverages at closed functions with the leasee renting the entire facility for that event. Details would be set forth in the lease and also advertised with signage as a private function. He would not support alcoholic beverages consumed outside of the building. He added that it is allowed at County facilities and the Fairgrounds under certain circumstances. Council Member Lewis advised that it has already been before the Parks and Recreation Board, where he serves as Council Liaison. He informed Council that the Parks Board supports the use of alcoholic beverages with the conditions that he has outlined. Lewis offered his opinion that this will allow the building to be rented more often, thus providing more income to subsidize the facility which will benefit the children for which it is intended.

Vice Mayor Brayton stated that it is his understanding that the current ordinance does not allow any alcoholic beverages in Tom Varn Park and the ordinance would have to be amended. He added that he has concerns about enforcement if it is allowed at closed functions and not any other time. He also expressed concern on its close proximity to the park facilities adjacent. Mayor Staib also echoed those concerns.

Council Member Johnston agreed with Council Member Lewis that enhancing revenues and staying competitive should be a priority. He also opposed anything done outside the building and stated that such action would subject the leasee to losing the deposit and may subject them to fines. He went on to state that his concern would be those who had been drinking would then get behind the wheel and drive through the Park on their way out.

Parks and Recreation Director Pugh offered his support to allowing alcoholic beverages at the facility. He added that it is his opinion that the issue of alcoholic beverages should also be addressed for use at the Quarry Golf Course, which is currently disallowed.

City Attorney Battista offered that the Parks rules and regulations are approved by City Council but not specifically included in an ordinance, therefore an ordinance amendment would not be required.

City Manager Anderson added that the Parks rules and regulations would not need to be changed, but only the JBCC facility lease agreement.

Staff was directed to bring a draft agreement back to Council for consideration. Council Member Lewis requested that it be specific on allowance inside the facility only. Council Member Johnston added that fines and penalties should be included, along with a possible higher security deposit. Chief Tincher requested that the issue of providing a law enforcement officer during the event be addressed as well.

MARY A. STAIB, MAYOR

Use of cellular phones in Chambers

Mayor Staib requested that cellular phones be turned off in the Council Chambers, which Anderson agreed to enforce.

JOSEPH E. JOHNSTON, III, COUNCIL MEMBER

Election Day

Council Member Johnston encouraged everyone to get out and vote on November 7th.

E.E. WEVER, JR., COUNCIL MEMBER

Annexing of right-of-way for public safety

Council Member Wever asked the status of a December, 1999 letter from the Mayor to Commission Chairman Novy on their position on the City annexing right-of-way areas on such roads as U.S. 41, S.R. 50, Cobb Road and West Jefferson for public safety enforcement issues. It was pointed out that no response was received and Anderson added that staff would follow-up on it. Council Member Wever felt that the Mayor should send a letter to the new County Commission Chairman (when appointed).

On the issue of the vacation of Lockhart Ave. for frontage road purposes, Geiger contributed that it has been discussed at a staff level with County engineering, planning and legal on the issue, and it was related that the County does not see a problem as long as the County retains the right to give final approval of any vacation of right-of-way issue.

Heart League Meeting

Council Member Wever informed Council that a program at the last HEART meeting was presented on downtown revitalization occurring in Inverness and Crystal River by Nature Coast Technical Services. He stated the problems there are similar to those faced by Council here and the company representative emphasized that the complete design and plan be done before any work is started. Wever provided that information to City Clerk Phillips.

House Bill - Traffic Calming Techniques

Council Member Wever explained a house bill being proposed on traffic calming techniques and requested that it be researched to see if the legislation passed, which Phillips agreed to do.

Drainage Problems - Candlelight

Council Member Wever called attention to water drainage problems on Candlelight which he felt is caused by contractor work on the construction on U.S. 41. Director of Public Works Pierce stated that he would check on the drain that goes into the retention area.

Rapid Transit Train

In response to Council Member Wever's question, Council Member Johnston stated that the statewide and local MPO is not supporting the rapid transit train.

PAT BRAYTON, VICE MAYOR

Outstanding Community of the Year

Vice Mayor Brayton commended staff on the work done on getting the designation for the Outstanding Community of the Year and the subsequent ceremony.

MARY A. STAIB, MAYOR

Fraud and Scam Seminar

Mayor Staib provided information she had obtained from the Fraud and Scam Seminar she attended on Saturday, November 4th.

KAREN M. PHILLIPS, CMC, CITY CLERK

Charter Amendments

City Clerk Phillips reminded Council that the Charter Amendments would be on the election ballot and added that they were advertised in both papers to educate the public on the issues as well as being posted at all the polling places.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:18 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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REGULAR COUNCIL MEETING

November 6, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Mary A. Staib, Vice Mayor Pat Brayton, and Council Members Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; B.J. Coryer, Acting Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher, Police Chief. There was a member from the St. Pete Times in attendance (7:20 p.m.).

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

CONSENT AGENDA

Authorize Mayor to execute Amendment #2 of agreement with Florida Department of Corrections for Work Release Program (renewal from 11/17/2000 through 11/16/2001) at an annual cost of \$42,510.

Acceptance of FY 2000 Local Law Enforcement Block Grant (LLEBG) Grant Award in the amount of \$21,016 with a \$2,335 City Match requirement and authorization for City Manager to execute.

Ratification of recommended appointment of John Stenger, Jr. to the Police Pension Trust Fund Board for a two year term of office through November 30, 2002.

Motion:

Motion was made by Lewis and seconded by Johnston to approve the November 6, 2000 Consent Agenda.

Council Member Wever questioned if the prison agreement was for two guards. City Clerk Phillips stated that it is increasing the salary of one guard. She stated that one of the agreements is still outstanding.

Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Proclamation - "National Epilepsy Awareness Month"

Proclaiming the month of November, 2000 as National Epilepsy Awareness Month.

The proclamation was read by Mayor Staib, which would be forwarded to the Committee on Epilepsy Awareness.

REGULAR AGENDA

Ordinance No. 614 - Evaluation & Appraisal Report (EAR)

Consideration of adoption of EAR for the Comprehensive Plan.

Ordinance No. 614 was read by headnote only, as follows:

AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA, PROVIDING FOR THE ADOPTION OF THE EVALUATION AND APPRAISAL REPORT FOR THE CITY OF BROOKSVILLE COMPREHENSIVE PLAN PURSUANT TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT ACT, CHAPTER 163, PART II, FLORIDA STATUTES, MINIMUM CRITERIA FOR REVIEW OF LOCAL GOVERNMENT COMPREHENSIVE PLANS AND DETERMINATIONS OF COMPLIANCE, CHAPTER 9J-5, FLORIDA ADMINISTRATIVE CODE, SCHEDULE FOR TRANSMISSION AND SUBMISSION OF LOCAL GOVERNMENT EVALUATION AND APPRAISAL REPORT, CHAPTER 9J-33, FLORIDA ADMINISTRATIVE CODE; PROVIDING THAT THE ORDINANCE SHALL BE CALLED THE EVALUATION AND APPRAISAL REPORT FOR THE CITY OF BROOKSVILLE COMPREHENSIVE PLAN; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATE.

Community Development Director Geiger stated that there had not been many changes in the document from the last time Council reviewed it.

Council Member Johnston questioned the date of 1998 included in the document when there are references to 2000. Geiger stated the date of 1998 was based upon the consultant's advice as being the date when the process began. The Community Development Director acknowledged that there are inconsistencies, but he felt it was important to complete the report and move on to the more important part, which is the Comprehensive Plan Update. Council Member Johnston stated that he had trouble with the legends to the maps being legible or matching the actual drawings on the maps. Geiger was aware of the problem and would ensure that correct ones are sent in with the submittal.

Community Development Director Geiger confirmed Council Member Wever's statement that if other changes need to be made, it can be done at the Second and Final Reading on November 20, 2000.

Vice Mayor Brayton requested that any comments made by the Planning and Zoning Commission at their review of the document on November 8th be forwarded to Council by the 13th or 14th instead of when the actual Council packet is distributed on November 17th.

Council Member Lewis questioned if most of the problems with the consultant had been taken care of. Geiger stated that they have still been very unresponsive and future payments to the consultant may be reviewed further.

Motion:

Motion was made by Wever and seconded by Lewis to direct that no more payments be made until the Council approves the payment. Motion carried 5-0.

There was no citizen's input on the ordinance.

Motion:

Motion was made by Lewis and seconded by Johnston to approve First Reading of Ordinance No. 614. Second and Final Reading scheduled for November 20, 2000. Upon roll call, motion carried 5-0 as follows:

Johnston Aye

Lewis Aye

Wever Aye

Brayton Aye

Staib Aye

Council was requested to bring their EAR report to the next meeting.

Northwest Well Field

Consideration of agreement with Pasco Hernando Community College for the site location of the wellfields, subject to the results of the test wells.

City Attorney Battista pointed out that the agreement has been signed by PHCC and stated that once Council signs and pays the college \$15,000, the City has immediate right of entry. He stated that if Council approves it, he would forward it to USDA. After approval of the agreement, the City would prepare the deed of easement for the college's signature. Battista added that he would ask Gulf Coast Title to prepare a title search to ensure that the College has the authority to grant the easement.

It was pointed out that the \$15,000 should not be paid until final assurances from USDA are granted.

Vice Mayor Brayton called attention to page 3 and stated that he has a problem with the "reasonable time" verbage referenced on the time period to complete the construction and felt it should be more specific. Council Member Wever questioned if a letter can be sent to PHCC stating that it has been approved subject to USDA approval and the City's submittal of a construction timetable, which would incorporate the timetable it may take to obtain drillers from SWFWMD, which may be a lengthy process.

Council Member Wever pointed out that page two reflects that the college is located in Brooksville, which he felt should be corrected. He further stated concern that in Section 13 regarding the obligations of the parties the word "and" should be "any" or "all".

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Director of Public Works Pierce suggested that Council authorize he and the City Attorney to contact the property owners and open up negotiations.

Motion:

Motion was made by Brayton and seconded by Lewis to place this agreement on hold and authorize Pierce and Battista

to look into negotiations of other properties.

Council Member Lewis suggested that the Public Works Director, Consulting Engineer and City Attorney find out the exact elevations of the possible site locations.

Motion carried 5-0.

Resident Inspection Services - Phase II Project

Proposed Amendment #6 to Civil-Tech Engineering Services Contract in the amount of \$5,082.06 for additional resident inspection services.

Director of Public Works Pierce stated that all funds previously approved for this project have been exhausted and recommended that the additional amount be approved. He added that there are adequate funds in the USDA account. He stated that he has a final change order for Phase II, which should be presented to Council for approval at the next Council Meeting.

Council Member Johnston questioned the referenced "unforeseen difficulties in obtaining satisfactory as-built drawings", which Pierce advised was due to complications cited by the contractor. Pierce acknowledged an error in the \$42.35 per hour computation.

Motion:

Motion was made by Johnston and seconded by Lewis to approve amendment #6 to the Civil-Tech Engineering Services Contract in the amount of \$5,082.00 for additional resident inspection services. Motion carried 5-0. City Manager Anderson interjected that it is a "not to exceed" amount.

Transfer of Equipment with County

Authorization to negotiate trade of 1987 City Gradall for used County Tandem Axle Dump Truck.

Motion:

Motion was made by Brayton and seconded by Lewis to approve trade negotiations of a 1987 City Gradall for a used County Tandem Axle Dump Truck. Pierce responded to Council Member Wever's question by stating that he has spoken to the County road department, who have indicated that they have three used dump trucks that will be considered.

Motion carried 5-0.

City Welcome Sign

Authorization to place Welcome Sign and utilize \$6,039 from the remaining proceeds in the Florida Power Releaf fund.

Tony Covell advised that redwood would be used and requested authorization to proceed with the project.

Motion:

Motion was made by Brayton and seconded by Lewis to approve the project.

Council Member Johnston questioned what the \$6,039 would be used for. Sherry McIntyre stated that those are the funds available but did not know if the entire amount would be used. She stated that there would be costs associated with the foundation, brick work, caps on it and the double faced sign for approximately \$4,370. The additional funds would be for irrigation and planting. In response to Council Member Lewis' question, McIntyre responded that it is their intention that the sign would be lighted.

Council Member Johnston questioned the location for the sign, which he felt was one of the least traveled entrances into the City. Sherry McIntyre responded that it was chosen for its ease in being able to get it done. The other locations involve easements and are complicated by road construction. Once one is completed, they can promote it to the businesses for support of future signs.

In response to Mayor Staib's question, City Clerk Phillips stated that they are planning at this point to hold another Releaf Sale in the spring of 2001 depending on participation by the new owners of the electric company.

Council Member Lewis questioned if there would be any potential liability being located in the apex. City Attorney Battista responded that this is not located in the City limits, however, he believes that the City would assume responsibility ownership and maintenance. He added that before it is installed, the County Engineer's office should be contacted to ensure that it meets construction requirements. Council Member Wever agreed, offering that it will need County and FDOT permits.

Community Development Director advised that it is not located in public right-of-way, but on private property. He acknowledged that it will need to go through County permitting. Vice Mayor Brayton stated that the County should be advised that the City Council is requesting support of the project.

Motion carried 5-0.

On another topic, Covell informed Council that Florida Power reviewed relocation of the power lines, eliminating all the primary lines on Main Street and U.S. 41 in the downtown area, and has determined a preliminary budget of \$150,000 - \$200,000. Regarding gas lights for downtown, Covell stated that the project was temporarily on hold, but a plan should be presented to Council shortly. Tony Covell responded to Vice Mayor Brayton's question by stating that although Florida Power has met with him and the City, the plans for relocation of the power lines are preliminary at this time. Community Development Director Geiger stated that at some point, the plans will be more formalized for CDBG grant implementation purposes. City Clerk Phillips stated that DCA has requested agreement acceptance by December 6, 2000, so it will be presented to Council at the November 20th or December 4th Council meeting.

In response to Council Member Lewis' question, Covell related that there should be no effect to the canopy trees on secondary streets.

Vehicle Transfer Fund

Review of Fire Rescue Vehicle purchase and replacement cost calculations.

Acting Director of Finance Coryer went over staff's recommendation on how to compute the value of the new vehicle, trade-in value, transfer fee, and money going into the replacement fund.

Council Member Wever voiced his opinion that the reserve built up on the old vehicle should be transferred to the new vehicle. Coryer stated that Council has the option of transferring the difference or the unused portion out of the replacement fund back into the general fund undesignated reserves or it can remain in the fund and be used as a credit against subsequent transfer requirements.

Council Member Wever recalled that at the Special Meeting, Council decided to use the cost figure as the basis of the accrual and life of the vehicle to determine the annual amount of transfer. He questioned the effective date of the decision. Vice Mayor Brayton stated that was his understanding that it was for this budget year. Coryer confirmed that, stating that Council also indicated that there would be a maximum cap of 7 years for all vehicles.

Council Member Wever voiced his opposition to the fact that this schedule indicates that the amount is based on replacement estimates instead of what was approved in the budget and that Council wanted the accumulation to be done on the cost basis. Council Member Johnston clarified that Council agreed at the Special Meeting that the scheduled needed to be revised to show actual cost and accumulated payments up to date and amortize the balance of the remaining estimated life of the vehicle not to exceed 7 years.

Council Member Wever stated that the accumulated payments into the fund have not been what this Council approved in the budget. He added, therefore, that he was no longer in agreement on the method approved at the Special meeting on November 1, 2000. He further requested a transcript of this reserve from the time it was started up and through the end of September 30, 2000 so that he could check the transfers into there against the budget figures to see how much difference there is for further calculations. He also requested a copy of the statute that says that the City cannot put this fund into the capital project funds.

The new schedule would be provided to Council.

Transportation Issues

a. Transportation Project Priorities

Review of MPO FY 2000-2005 Prioritization List for MPO Board consideration at Public Hearing on 11/9/2000.

Dennis Dix, County Transportation Coordinator, began by stating that every three years, the MPO goes through a 20 year plan update. In December 2001, the MPO will adopt a new plan, which impacts the 10 year interim plan and 5 year work program. The particular item that will be before the MPO on November 9th is Transportation Enhancement Projects. He stated that the original planning level cost estimates for sidewalk improvements now include engineering cost estimates and the figure has nearly tripled and the list of what was 25 projects for funding is now much shorter. Dix stated that the MPO has attempted to preserve everything listed as high priority and the sidewalk and bulb-out projects will remain. He advised that the sidewalk improvements are taking much staff effort as it deals with FDOT negotiations. They are attempting to include the bulb out project in Fiscal Year 01-02, which design plans may be finalized in the summer of 2001. Funding for Phase I of the Good Neighbor Trail project should be in the 3rd or 4th year of the program and the project has been extended to Jasmine Drive. Phase II and Phase III funding will hopefully be thereafter. Funding for the South Main Street sidewalk will be included.

Regarding the bulb out project, Community Development Director Geiger advised that turning radiuses are being looked at as it relates to impact of traffic flow. Dix responded to Vice Mayor Brayton's question by stating that a conceptual design was completed two years ago which took FDOT 18 months to approve. The project was halted by FDOT because a final design was not completed. The final design will be brought back to Council for approval before submittal to FDOT.

Sherry McIntyre questioned if changes in Rural Communities Rule may affect the one-way pairs and subsequently affect the bulb out project. Dennis Dix stated that the legislation passed in 1999 gives more flexibility to local governments. The idea is to protect the Florida intra state highway system, which is U.S. 19, S.R. 50 and the Interstate and toll road. FDOT is less concerned now with level of service on minor arterial roads. This is the time to present the bulb out project and presenting their opposition to extending the one-way pairs and reversing the current one-way pairs. He stated that FDOT's position up to this point has been that they are not going to consider it. They have relayed now that it is negotiable. However, if Council wishes to make that request, the other projects, such as the redesign of Mildred Ave., and improvements to the Ponce de Leon/Jefferson intersection will have to be reconsidered. Council Member Wever stated that if FDOT would move U.S. 98/700 and 50A, that intersection would not need improvements. Dix related that the transfer will occur, but it will be 8 or 9 years from now. Dix offered that FDOT may not want to change their position on the improvements needed on Ponce de Leon and Jefferson Street because of current traffic stacking issues. Ms. McIntyre questioned if there were any budgeted projects that could be transferred towards the reversal of the one-way pairs. County Transportation Coordinator Dix responded that there is \$.8 million in the 4th year of the program to do the intersection at Ponce de Leon and Jefferson and \$.3 million for the Mildred Ave. intersection improvements which is scheduled in two years. If the City does not want to do those projects, the City can propose to use the funds elsewhere in the City. Dix added that historically the MPO has supported any projects that the City has requested through its direction from City Council. At one point, FDOT gave a cost estimate of \$400,000 to revert the streets back to two way. FDOT has asked if the MPO is authorizing them to start on the extending of the multi-laning on U.S. 41 through the Jefferson intersection on Ponce de Leon. Vice Mayor Brayton stated that if the object of Council is to push the heavier traffic to the truck by-pass, then multi-laning that particular section is

counterproductive. Dix advised that FDOT is insisting that the intersection must be designed for trucks to include big turning radiuses. Council Member Wever offered his suggestion that FDOT should be told that the City does not support that.

Dennis Dix informed Council that he will present the other projects within the next 6 months.

Regarding improvements on U.S. 41, Dix advised that due to the new parkway, the long range 20 year plan includes only 4 lanes to Spring Hill Drive where the six lanes currently stop.

Dennis Dix offered that the County will be applying for two projects; 1) County wide traffic control system and 2) right-of-way on County Line Road.

Council Member Johnston reminded Council that their past position was that the City does not want the one-way pairs, but if they cannot be reversed, and City funding is in jeopardy, so the City wants the Mildred Ave. intersection improved.

Motion:

Motion was made by Brayton to have City representatives inform the MPO that the improvements to the one-way pairs and the improvements to the intersection at West Jefferson and Ponce de Leon be reevaluated to see if those funds can be kept for other City uses. Johnston advised that the City should relate where they wish the funds to be redirected to. Brayton clarified that the City would like to utilize those funds to revert back to two-way traffic flow, eliminating the one-way pairs. Dix stated that since FDOT has already expended some money for design work on improvements to the two intersections, they may request reimbursement. He stated that the Council's direction may better be phrased to state "delay" the projects, rather than "cancel" them.

After discussion, motion was withdrawn. Council Member Johnston stated that as the MPO representative, he can relay Council's position. Dennis Dix stated that direction must be given to the MPO by December 7th, in conjunction with the FDOT annual 5 year work program workshop/public hearing.

Motion:

Motion was made by Johnston and seconded by Brayton to request the MPO to delay the Mildred Ave. and Ponce de Leon/Jefferson improvements and have staff address the allocation of those funds towards reevaluating the one-way pairs and necessary intersection improvements. Motion carried 5-0.

b. Transportation Outreach Program Advisory Council 2001 Grant

Authorization to apply for above grant funding in the amount of \$120,000 for a Brooksville Shuttle Bus.

Community Development Director Geiger explained the grant and stated if the City can show that they are improving traffic choices, the City may be eligible and may submit an application for this funding. He added that the grant is due November 8th. Council Member Johnston questioned if this would be part of the MPO's mass transit program, which Geiger confirmed. It was pointed out that this will ensure that there will be a full time shuttle within the City. Dix confirmed that this may be 100% funding for the vehicle, but if there were any matching monies required, it would come from the County/MPO. The operating budget for this additional bus was included in the MPO transit plan.

Motion:

Motion was made by Johnston and seconded by Lewis to authorize staff to apply for the grant for \$120,000 for a shuttle bus for the City of Brooksville. Motion carried 5-0.

Community Development Update

a. EAR (See Agenda Item No. E-1)

- b. CDBG Grant Application
- c. Good Neighbor Trail
- d. Revitalization Plan (See Agenda Item No. E-5)

Community Development Director Geiger stated that most of the items had been covered, but advised that the Good Neighbor Trail Committee had been meeting on a monthly basis. The Committee is going through and prioritizing the list of committed items in the Florida Communities Trust Agreement. They will be obtaining quotes to get a boundary survey done where the trail head will be located, but it is hoped that there will be no cost for that. There will be costs associated for engineering when that point begins. He stated that the funding for those costs may include looking at the capital improvement funding, grant opportunities and MPO project funding.

Geiger stated that he had been in contact with FDOT regarding the signs related to the Outstanding Rural Community of the Year, which has committed to put signs up at the three other major entry ways to the City.

Geiger responded to City Manager Anderson's question by going over the timetables involved in the different phases of the Good Neighbor Trail project.

CITIZEN'S INPUT

Friends of the Children

Tony Covell commended Parks and Recreation Director Pugh for his efforts in the Friends of the Children event recently held.

ITEMS BY COUNCIL MEMBERS

RICHARD E. LEWIS, COUNCIL MEMBER

Jerome Brown Community Center

Use of JBCC for private functions.

Council Member Lewis stated that there have been requests to use the Jerome Brown Community Center, some of which have included requests to be allowed to have alcoholic beverages, which is prohibited at this time. He stated that he would support alcohol beverages at closed functions with the leasee renting the entire facility for that event. Details would be set forth in the lease and also advertised with signage as a private function. He would not support alcoholic beverages consumed outside of the building. He added that it is allowed at County facilities and the Fairgrounds under certain circumstances. Council Member Lewis advised that it has already been before the Parks and Recreation Board, where he serves as Council Liaison. He informed Council that the Parks Board supports the use of alcoholic beverages with the conditions that he has outlined. Lewis offered his opinion that this will allow the building to be rented more often, thus providing more income to subsidize the facility which will benefit the children for which it is intended.

Vice Mayor Brayton stated that it is his understanding that the current ordinance does not allow any alcoholic beverages in Tom Varn Park and the ordinance would have to be amended. He added that he has concerns about enforcement if it is allowed at closed functions and not any other time. He also expressed concern on its close proximity to the park facilities adjacent. Mayor Staib also echoed those concerns.

Council Member Johnston agreed with Council Member Lewis that enhancing revenues and staying competitive should be a priority. He also opposed anything done outside the building and stated that such action would subject the leasee to losing the deposit and may subject them to fines. He went on to state that his concern would be those who had been drinking would then get behind the wheel and drive through the Park on their way out.

Parks and Recreation Director Pugh offered his support to allowing alcoholic beverages at the facility. He added that it is his opinion that the issue of alcoholic beverages should also be addressed for use at the Quarry Golf Course, which is currently disallowed.

City Attorney Battista offered that the Parks rules and regulations are approved by City Council but not specifically included in an ordinance, therefore an ordinance amendment would not be required.

City Manager Anderson added that the Parks rules and regulations would not need to be changed, but only the JBCC facility lease agreement.

Staff was directed to bring a draft agreement back to Council for consideration. Council Member Lewis requested that it be specific on allowance inside the facility only. Council Member Johnston added that fines and penalties should be included, along with a possible higher security deposit. Chief Tincher requested that the issue of providing a law enforcement officer during the event be addressed as well.

MARY A. STAIB, MAYOR

Use of cellular phones in Chambers

Mayor Staib requested that cellular phones be turned off in the Council Chambers, which Anderson agreed to enforce.

JOSEPH E. JOHNSTON, III, COUNCIL MEMBER

Election Day

Council Member Johnston encouraged everyone to get out and vote on November 7th.

E.E. WEVER, JR., COUNCIL MEMBER

Annexing of right-of-way for public safety

Council Member Wever asked the status of a December, 1999 letter from the Mayor to Commission Chairman Novy on their position on the City annexing right-of-way areas on such roads as U.S. 41, S.R. 50, Cobb Road and West Jefferson for public safety enforcement issues. It was pointed out that no response was received and Anderson added that staff would follow-up on it. Council Member Wever felt that the Mayor should send a letter to the new County Commission Chairman (when appointed).

On the issue of the vacation of Lockhart Ave. for frontage road purposes, Geiger contributed that it has been discussed at a staff level with County engineering, planning and legal on the issue, and it was related that the County does not see a problem as long as the County retains the right to give final approval of any vacation of right-of-way issue.

Heart League Meeting

Council Member Wever informed Council that a program at the last HEART meeting was presented on downtown revitalization occurring in Inverness and Crystal River by Nature Coast Technical Services. He stated the problems there are similar to those faced by Council here and the company representative emphasized that the complete design and plan be done before any work is started. Wever provided that information to City Clerk Phillips.

House Bill - Traffic Calming Techniques

Council Member Wever explained a house bill being proposed on traffic calming techniques and requested that it be researched to see if the legislation passed, which Phillips agreed to do.

Drainage Problems - Candlelight

Council Member Wever called attention to water drainage problems on Candlelight which he felt is caused by

contractor work on the construction on U.S. 41. Director of Public Works Pierce stated that he would check on the drain that goes into the retention area.

Rapid Transit Train

In response to Council Member Wever's question, Council Member Johnston stated that the statewide and local MPO is not supporting the rapid transit train.

PAT BRAYTON, VICE MAYOR

Outstanding Community of the Year

Vice Mayor Brayton commended staff on the work done on getting the designation for the Outstanding Community of the Year and the subsequent ceremony.

MARY A. STAIB, MAYOR

Fraud and Scam Seminar

Mayor Staib provided information she had obtained from the Fraud and Scam Seminar she attended on Saturday, November 4th.

KAREN M. PHILLIPS, CMC, CITY CLERK

Charter Amendments

City Clerk Phillips reminded Council that the Charter Amendments would be on the election ballot and added that they were advertised in both papers to educate the public on the issues as well as being posted at all the polling places.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:18 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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REGULAR COUNCIL MEETING

December 4, 2000 7:00 p.m.

Brooksville City Council met in regular session with Mayor Mary A. Staib and Council Members Joe Bernardini, Joseph E. Johnston, III, Richard E. Lewis and E. E. Wever, Jr., present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; B.J. Coryer, Acting Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Boyce E. Tincher, Police Chief. There was a member from the St. Pete Times in attendance.

The meeting was called to order by Mayor Staib, followed by the invocation and pledge of allegiance.

UNVEILING OF CITY SEAL

The new City Seal above the dais was unveiled and artist/creator Mike Goldman was commended for a job well done on the carving.

CITY COUNCIL

Oath of Office

Swearing in of Richard E. Lewis, Group No. 2, and Joe Bernardini, Group No. 3, City Council Members, for terms of office through ***the first meeting in [approved by Council 3/5/01___]*** December, 2004.

Judge Hyslop swore in Council Members Bernardini and Lewis and presented the oaths of office for signature.

Resolution No. 2000-27 Honoring Pat Brayton

Resolution honoring Pat Brayton for over 6 years as a City Council Member and serving as Mayor in 1995 and 1996 and as Vice-Mayor in 2000.

The City Clerk read resolution No. 2000-27 by headnote only, as follows:

AN APPRECIATION RESOLUTION ON THE PART OF THE CITY OF BROOKSVILLE CITING PAT BRAYTON FOR OVER SIX YEARS OF DISTINGUISHED SERVICE AND SELFLESS DEDICATION TO THE OFFICE AS A COUNCIL MEMBER OF THE CITY OF BROOKSVILLE.

Motion:

Motion was made by Lewis and seconded by Johnston to approve Resolution No. 2000-27. Upon roll call, motion carried 5-0, as follows:

Johnston Aye

Lewis Aye

Wever Aye

Bernardini Aye

Staib Aye

Pat Brayton came forward to congratulate Bernardini and Lewis for their election to Council and stated that he appreciated the opportunity of serving on the Council for the past 6 years.

CONSENT AGENDA

Minutes:

First Public Budget Hearing - September 13, 2000

Second and Final Public Budget Hearing - September 27, 2000

CDBG Commercial Revitalization Grant

Authorization for Mayor to execute \$600,000 Grant Agreement with DCA for Commercial Revitalization Project.

SWFWMD Permit - Quarry Golf Course and Tom Varn Park

Consideration of proposal from Civil-Tech Engineers, Inc., to complete permit requests at Quarry Golf Course in the amount of \$7,340.00 and at Tom Varn Park in the amount of \$5,000.

Motion:

Motion was made by Lewis and seconded by Wever to approve the December 4, 2000 Consent Agenda. Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Proclamation - "International Volunteer Year"

Proclaiming December 5, 2000 through December 5, 2001 as "International Volunteer Year" and recognizing the contributions made by volunteers throughout the City offices.

Mayor Staib read the International Volunteer Year proclamation.

Proclamation - "Bill of Rights Day"

Proclaiming December 15, 2000 as "Bill of Rights Day".

Council Member Lewis read the Bill of Rights Day, which would be forwarded to the Mayor of Lakeworth for a related ceremony.

REGULAR AGENDA

Resolution No. 2000-28 - Paul Taylor Retirement

Recognition of fifteen years of service as Streets Division Foreman.

City Clerk Phillips read Resolution No. 2000-28 by headnote only, as follows:

A RESOLUTION IN APPRECIATION OF THE MANY YEARS OF SERVICE RENDERED TO THE CITY OF BROOKSVILLE AND ITS CITIZENS BY PAUL R. TAYLOR

There was no citizen's input on the resolution.

Motion:

Motion was made by Lewis and seconded by Bernardini to approve Resolution No. 2000-28. Upon roll call, motion carried 5-0, as follows:

Bernardini Aye

Johnston Aye

Lewis Aye

Wever Aye

Staib Aye

Fine Arts Council - Art Festival

Request approval to hold this year's Art Festival in McKethan/Tom Varn Park over the Memorial Day Weekend.

Parks and Recreation Director Pugh explained that the former Masaryktown Art Festival has outgrown its site and he is proud to offer McKethan/Tom Varn Park to them for this event. He acknowledged that the trails would need to be closed that weekend and that closing will be advertised accordingly. In response to Council Member Lewis' question, the trails at the Community Center will be open.

Motion:

Motion was made by Lewis and seconded by Bernardini to approve the request to hold the Art Festival in McKethan/Tom Varn Park over the 2001 Memorial Day Weekend.

Council Member Johnston stated that the advertising for the Festival should include the words "formally known as the Masaryktown Art Festival" which City Manager Anderson stated he would make a note of.

Motion carried 5-0.

Street Renaming Legislation

Summit Rd. to Martin Luther King, Jr. Blvd.

Resolution No. 2000-29 proposing the renaming of Summit Rd. from Jefferson to Broad

City Clerk Phillips read Resolution No. 2000-29 by headnote only, as follows:

A RESOLUTION RENAMING SUMMIT ROAD TO MARTIN LUTHER KING, JR., BLVD.; PROVIDING AUTHORITY; PROVIDING FINDINGS; AND PROVIDING AN EFFECTIVE DATE

Community Development Director Geiger stated that one additional petition is included in Council's packet which had been received since the originals were distributed.

Doug Davis of 630 Summit Road voiced his opposition to the street name change and felt that there was an incomplete canvassing of the property and business owners of the area. He added that this address change will cost him several thousands of dollars and could put him out of business. He felt that a more appropriate street should be chosen to honor Dr. King.

Nick Nickerson voiced his support of honoring Dr. King in this manner and advised that the Post Office will deliver to both addresses for a year. He further stated that he will donate a thousand business cards a year to any businesses that claim financial hardship which he stated only costs around \$9.95 per thousand.

Robert Morris requested that Council not approve this change, stating that he had an established client base that are familiar with the Summit Road address and that this will cause an economic impact to him.

Mayor Staib suggested that the name "Summit Road" could appear on the sign.

Stephanie Richardson acknowledged that this may be an expense but felt that it is the right thing to do for the community.

Community Development Director Geiger stated that staff was directed to draft a resolution with an effective date of January 15th. He acknowledged that the Post Office will deliver to the old address for a year and beyond. The street signs can be done in-house to reduce expenses. He suggested that the old street signs can remain for the duration of ads in the yellow pages.

Council Member Lewis expressed support of the name change but added his desire that the east/west directional be removed.

It was pointed out that the opposition from the Juice Plant had been rescinded.

Council discussed the option of renaming a portion of Summit Road. Charles Burnett and Hazel Land voiced their opposition to that suggestion and requested that the whole street be renamed.

John Wallace and Isabelle Harris came forward to offer their support of the change. Mr. Wallace agreed with the suggestion that the words "Summit Road" could be put under the words "Martin Luther King, Jr., Boulevard".

John Mason voiced opposition to the change and felt that businesses incurring expenses should be compensated.

Council discussed what the signs would actually read. It was suggested that the words "Summit Road" could be on the sign temporarily and then removed during normal maintenance of the sign.

Council Member Johnston acknowledged concerns from business owners but stated that this has been done in many surrounding communities and voiced his support of renaming the entire street Martin Luther King, Jr., Boulevard.

Opposition was expressed in response to Council Member Bernardini's suggestion of using the initials "MLK". Mr. Bernardini voiced concern with anyone who did not live on Summit Road telling the residents what their street should be named. In addition, he was concerned that there did not seem to be any willingness to compromise on any suggestions. He added that he was unsure of using the word "Boulevard" which to him meant very large intersections. In summary, Council Member Bernardini voiced support of the name change.

Motion:

Motion was made by Bernardini and seconded by Johnston to approve the street name change of Summit Road to Martin Luther King, Jr., Boulevard with the words "Summit Road" underneath. The effective date of the change will be January 15, 2001. City Manager Anderson stated that Council could readdress the words "Summit Road" on the sign in a year or so.

Upon roll call, motion carried 5-0, as follows:

Johnston Aye

Lewis Aye

Wever Aye

Bernardini Aye

Staib Aye

Council Member Lewis encouraged those in the audience to start attending the Council Meetings on a regular basis.

Clinton Blvd. to Mylander Blvd.

Resolution No. 2000-30 proposing the renaming of a portion of Clinton Blvd. from Mobley Rd. to Cortez Blvd.

Council Member Bernardini again did not agree with using the word "Boulevard".

Council Member Lewis stated that although Thomas Mylander did a fine job, there are a lot of people who have done great things for the City and he could not support this request. He felt that it would set a precedent.

Motion:

Motion was made by Lewis and seconded by Bernardini to deny Resolution No. 2000-30.

Council Member Bernardini agreed with the denial and felt that it would be getting Council into the arena of politics. Council Member Johnston agreed, opposing naming streets after retiring politicians.

City Clerk Phillips read Resolution No. 2000-30 by headnote only, as follows:

**RESOLUTION RENAMING A PORTION OF CLINTON BOULEVARD TO MYLANDER BOULEVARD;
PROVIDING AUTHORITY; PROVIDING FINDINGS; AND PROVIDING AN EFFECTIVE DATE**

Mayor Staib voiced her support of the Resolution.

There was no citizen's input on the resolution.

Upon roll call, motion carried 4-1 to deny the resolution, as follows:

Lewis Aye

Wever Aye

Bernardini Aye

Johnston Aye

Staib Nay

Interlocal Agreement

Consideration of proposed Frontage Road agreement between County and City.

City Attorney Battista began by stating that staff has attempted coordination with the County on this concept and had recently spoken to the County Attorney. Battista stated that the Interlocal Agreement has been reviewed by staff and no specifics were brought up to include in the agreement. He stated that the frontage road will be identified in this document as a City road. Battista added that the City and County both agree that it should be purposefully vague and can be tightened up when needed. Issues such as the northern terminus are still being worked on. He offered that Exhibit A that is not attached is the same one that has been distributed to Council many times.

Motion:

Motion was made by Johnston and seconded by Lewis to approve the interlocal agreement.

Council Member Wever voiced concern with the 30 day timetable for agreement termination. After discussion, it was decided to leave as is.

Council Member Wever stated that he had a conversation with Representative Russell, who offered to help the City any way possible. Wever has requested that Coastal Engineering deliver a packet of material to Russell to request his assistance. He added that if it is designated as a frontage road, FDOT grants should be considered.

Motion carried 5-0.

Final Change Orders Phase II (Interconnect Project)

Approval of Final Change Order Nos. 4 (Southern Section) & 5 (Northern Section) for \$44,247.36 and \$21,360.15, respectively. (Balance of reserves estimated at \$11,188.77).

Motion:

Motion was made by Lewis and seconded by Johnston to approve Final Change Orders No. 4 and 5. Motion carried 5-0.

Emergency Management Grant Program

- a. Consideration of submitting a grant application for the purchase of an emergency generator, storm shutters and related equipment, to retrofit City Hall to an Emergency Operations Center/Disaster Coordination Center - State Grant \$94,500 - City Match \$49,170 (\$46,270 cash and \$2,900 in kind).
- b. Consideration of submitting a grant application for the purchase of a equipment transporter (5th wheel tractor/"low-boy" trailer) to establish Rescue, Recovery and Debris Removal Unit within BERT - State Grant \$49,000 - City Match \$201,750 (\$56,750 cash and \$145,000 in kind).

City Manager Anderson explained the two applications being presented for the emergency management grant program.

Anderson responded to Mayor Staib's question on the location of the storage building by stating that it is near the air conditioning units.

Council Member Wever expressed his opposition to using the Council Chambers as an operations center and felt it was more appropriate where it currently is.

Council Member Bernardini questioned where the fuel tanks would be kept, which Geiger stated would be underground propane fuel tanks or natural gas.

In response to Council Member Wever's question on why the City would need a tractor trailer, Anderson stated that it would be used to move heavy equipment, particularly if another community requests assistance in an emergency.

Council Member Lewis voiced his support for the requests, stating that the City gets reimbursed for use in emergencies and it is a chance to get some equipment that the City otherwise would never get.

Anderson stated that the \$56,000 is for a backhoe that the City would be buying in a couple years anyway.

Council Member Johnston voiced appreciation for staff looking for these grant opportunities but felt that in this case, some of the items are more luxury rather than necessity.

Motion:

Motion was made by Johnston and seconded by Wever to not submit item 6A. Motion carried 3-2, with Staib and Lewis voting in opposition.

Motion:

Motion was made by Johnston and seconded by Wever to not submit item 6b. Motion carried 3-2, with Staib and Lewis voting in opposition.

Withlacoochee Regional Planning Council - Municipal Representative

Appointment of elected official to serve as voting member on WRPC.

Motion:

Motion was made by Lewis and seconded by Wever to approve reappointment of Council Member Johnston to the WRPC. Motion carried 5-0.

Alcohol Consumption in Jerome Brown Community Center

Approval of policy to allow for dispensing and consumption of alcoholic beverages during private events.

City Manager Anderson stated that he has provided a proposed modification to the Jerome Brown Community Center lease with highlights shown, as well as an application and permit that could be used. At this point, the facility use agreement deals with more than just the JBCC. The application proposed is specific for the JBCC.

Council Member Johnston called attention to the paragraph on the permit regarding sale, distribution or consumption, and felt that it needed to be reworded that to reflect that alcoholic beverages are not permitted anywhere in the parks except at the JBCC by permit only.

Council Member Lewis stated that signage would need to be posted at the entrance of the JBCC that it is currently closed for a private event.

It was decided to change the word "park" to the "Jerome Brown Community Center" in paragraphs 5 and 6 of the permit. The word "City" would be added in front of the word "police officer".

City Manager Anderson stated that it would be brought back to Council for approval.

Council Member Wever stated that he had a problem with paragraph 2 of the lease terms and felt that it should be specific to the JBCC, which Anderson agreed to do.

Anderson confirmed that if the event calls for more officers than can be supplied, an exception to that rule can be made.

Mayor Staib requested that a sign depicting the JBCC capacity should be posted.

Motion:

Motion was made by Johnston and seconded by Bernardini to authorize staff to make the noted changes and distribute it to Council for review prior to implementation. Motion carried 5-0. It was decided that it would not need to come back to Council for approval.

Julia Jinkens stated that she is proud of the JBCC. David Pugh thanked Council for their support of the Friends of the Children fundraiser and stated that the funds will help to purchase a van.

Ordinance No. 536-B - Competitive Bidding

Consideration of revision to code to maintain current \$6,000 level but add section to allow utilization of statutory limits when joint purchasing with County and/or School Board.

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VIII - FINANCE OF THE CODE OF ORDINANCES REGARDING COMPETITIVE BID REQUIREMENTS; AND PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

There was no citizen's input on the ordinance.

Motion:

Motion was made by Johnston and seconded by Lewis to approve First Reading of Ordinance No. 536-B.

Council Member Wever voiced his opposition of the \$15,000 cap referenced in the Statutes and felt that the amount is intended for larger cities. He stated that he would be in favor of staying with the \$6,000 limit. City Clerk Phillips offered to bring a policy back to Council for approval at the Second Reading.

Upon roll call, motion carried 4-1, as follows:

Wever Nay

Bernardini Aye

Johnston Aye

Lewis Aye

Staib Aye

Community Development Update

FDOT 5 Year Tentative Work Program

Status report of Mildred Ave. and Jefferson at U.S. 98 and solicit Council approval to request MPO to keep

both projects in the 5 Year Plan.

Community Development Director Geiger advised that FDOT stated that they will soon begin public workshops to get input from the MPO and citizens. He stated that staff would like clarification from Council on the Mildred Ave. and S.R. 50(A) intersection and the W. Jefferson St. and U.S. 98 roadways.

Mildred Ave.

Geiger reminded Council that at the November 6, 2000 meeting, Council requested that the Mildred Ave. intersection request for improvements be delayed until the City got information from the MPO or FDOT on whether the funding towards the project might be used on converting the one-pairs back to two-way pairs. Geiger stated that the issue was brought to the MPO by Council's representative Johnston, and, at that time, the MPO indicated that it could be looked at. The MPO directed staff to go back and gather information to be brought back to the MPO for consideration. County Transportation Coordinator, Dennis Dix, confirmed it would be looked at by the MPO and presented back to Council when those findings are gathered. However, the Community Development Director stated that the Mildred Ave. project is included in this 5 year work program. He advised that if the project is delayed, there is a real possibility that the funding for the project will be dropped and not reallocated towards the reversion of the one-way pairs. He stated that if the one-ways were to be converted back to a two-way system, it could be 5 to 10 years in the future and in the meantime, it should be determined if the benefits for intersection improvements would outweigh the possibility of losing the funding.

Council Member Lewis offered his opinion that if the money is in jeopardy of being lost, he would favor improving the intersections while continuing to work on reconverting the one-way pairs.

Mr. Dix went over the MPO's recommendation on the \$300,000 project to improve circulation by improving the Mildred Ave. intersection. He advised that if the City decides to pursue reverting the one-way pairs, the MPO has indicated that it will look at that option, start modeling it in late January, early February with results on potential congestion by April or May, 2001, which will be brought back to the City. He stated that once the City makes that decision, it would be another 2 to 3 years before it is included in a FDOT program.

Council Member Lewis questioned whether the \$300,000 expended for the Mildred Ave. intersection would jeopardize any future funding. Dix responded that the MPO is the guidance as far as any recommendations.

Regarding the transfer of U.S. 98/Ponce de Leon, Geiger responded to Council Member Wever's question by stating that FDOT has not committed to previous conditions presented to them in conjunction to the proposal, such as the City's opposition to the extension of the one-way pairs.

Council Member Bernardini advised that years ago, FDOT was told that the City did not want the one-way pairs but FDOT threatened the funding and did it anyway. He stated that everyone that he has talked to is in favor of converting the roads back to a two-way system and he felt that the request, with the assistance of Representative Russell, should be presented to FDOT at this time.

Dennis Dix commented that the main interest of the FDOT is to preserve the first 3 years of the work program and is willing to work with local governments to ensure that the program stays on schedule. He added that the one-way pairs were created before the MPO's creation in 1992. Bernardini felt that the intersections should not be improved to assist something that the City did not want in the first place.

Council Member and MPO representative Johnston contributed that the City has related to the MPO that the City of Brooksville does not wish to have an extension of the one-way pairs, which Dix confirmed that, based on the MPO recommendations, it is not in the FDOT plan. Johnston stated that his opposition to the Mildred Ave. intersection is that the design is not what he had anticipated for its use in conjunction with the one-way

pairs. He stated that he had envisioned a larger intersection utilizing the hospital property. He added that if the City is able to convert back to the one-way pairs, he does not see anything in the improvement designs that really inhibits the return of the two-way system but instead may make better turn lanes. He objected to FDOT's request that the City turn over Mildred Ave. to the State. He wondered if there was a way to work out a license agreement with FDOT for improvements to Mildred Ave.

City Manager Anderson recalled that when FDOT first pointed out that they did not have title to Mildred Ave., the Council suggested that they would consider giving title to FDOT if the State would make improvements to the intersection. He agreed that the original plan was much larger and did utilize the hospital property. He wondered what would happen if the City gave Mildred Ave. to the State with the suggestion that if they want to make improvements, they can.

Council Member Lewis pointed out that if any conversion back to the two-way system will take 3 years, in the meantime, there will still be traffic problems with improvements still needed on Mildred.

Council Member Bernardini felt that the improvements to Mildred would only benefit the trucks, which the City does not want in the City.

Geiger reiterated that staff is requesting direction on the improvements to Mildred Ave. and reminded Council that the funding may be lost if they chose not to support those improvements, as well as flexibility to negotiate with FDOT as far as the right-of-way issues on Mildred.

Mayor Staib voiced her opinion that she would support using the funding for intersection improvements if the alternative is losing the money.

Council Member Johnston reiterated that the improvements should not inhibit the conversion back to a two-way system and other than the issue over control of Mildred, he would agree to the improvements rather than lose the funding.

If the Council transfers Mildred Ave. to FDOT, Council Member Lewis questioned what utility relocation would be involved. Pierce advised that it is minor and FDOT has agreed to relocate anything needed. Pierce continued by stating that there is a fire hydrant that needs to be moved. He added that if FDOT wants Mildred Ave., they will take it regardless of the City's support or opposition.

Director of Public Works Pierce stated that if Council does wish to support the transfer, he would like to suggest that the City readdress his June 27, 2000 letter which paraphrases Council's conditions on this issue. He offered to contact FDOT and bring an agreement back to Council for consideration. Council Member Johnston offered that regarding the timetable on the U.S. 98 transfer that Council requested in that letter, FDOT has already indicated that it cannot be guaranteed. Dennis Dix interjected that the timetable on the U.S. 98 transfer is based solely on funding available to four lane Cobb Road in the 5 year program. City Manager Anderson questioned if project priorities can be adjusted or recommended to be changed to bring that transfer closer than the eight year estimate. Mr. Dix stated that the MPO could recommend money allocation changes.

Council Member Lewis questioned that since Cobb Road will be specifically for use as a truck by-pass, would the County be able to get grant money through Representative Russell to make this transfer happen sooner. Council Member Johnston contributed that any special funds available are probably going toward County Line Road. Mr. Dix added that there may be issues associated with Cobb Road that are not associated with County Line Road, which may make some grant money available.

Motion:

Motion was made by Lewis and seconded by Wever to proceed with Mildred Ave. 50A/West Jefferson

intersection improvements as designed with no conditions with an agreement to be negotiated and brought back to Council for approval. Motion carried 4-1 with Bernardini voting in opposition.

West Jefferson Street/Ponce de Leon intersection

Community Development Director Geiger advised that Council's opposition to the design was relayed to the MPO, along with Council's request that the money be used for conversion of the one-way pairs to a two-way system. The Technical Advisory Committee met to discuss that and voted to drop the intersection improvements in the 5 year program. Geiger advised that the concern in dropping the improvements is the risk of losing the funding completely. Mr. Geiger recommended that the improvements be kept in the program, if only to include construction or improvements to the median. According to Dennis Dix, the estimated cost of the median improvements would be \$25,000 to \$30,000. Council Member Wever reminded Council that this had been discussed previously by Council and FDOT was subsequently told to scale down their massive proposed changes, which was estimated at \$1.8 million. Dix interjected that the scaled down version would be cutting only 4 feet off of two corners at an estimated cost of \$800,000 which would improve the turning radius and not provide a turn lane. The MPO and City did not agree with that scaled down version, especially considering the cost. Council Member Johnston expressed concern that if the \$800,000 is already budgeted in the 03/04 program and the City decides to only support the median improvements at \$30,000, the MPO may have to come up with engineering and design work for use of the left over money before the 03/04. Dix confirmed Council Member Johnston's statement that the MPO would have to prepare preliminary figures on the City's scaled down version with an estimate of what money is left over for use on alternative projects.

Motion:

Motion was made by Johnston and seconded by Lewis to recommend to the MPO to leave those funds in for now subject to confirmation of the new median design for future recommendations. Motion carried 5-0.

Legislation Budget Requests

Endorsement requests submitted to legislative delegation on 12/1/00.

Community Development Director Geiger stated that what is before Council are comments made at the November 20, 2000 meeting. He added that if Council endorses this, staff will lobby towards that end. Geiger advised that legislative funding for the WAP grant this year will be based on communities that were awarded funding in the past. The actual budget amount may be slightly higher at \$1.2 instead of the \$800,000 as requested.

Council Member Wever advised that he will provide the legislative representatives with the final Florida League of Cities legislative program. City Manager Anderson stated that the League should provide each Council Member with a copy and City Clerk Phillips indicated she would ensure that Council does get a copy.

On the request to allow for the setting of speed limits on City streets without having to do extensive speed studies, Council Member Johnston stated that he has a language proposal to be added to Florida Statutes, Section 316.189(1) and he would provide to staff to distribute to the legislators and Council.

Council discussed the three Community Budget Issue Requests as follows:

\$800,000 - This request is for continuing the Water Advisory Panel Grant funds to implement Phase II of the plan. This project involves the citywide rehabilitation of its wastewater transmission system. Through the delegations efforts and support in the last session, Phase I of this project was funded in the amount of \$500,000. Phase I includes doing a required wastewater facilities plan in compliance with FDEP Rule 62-

503.700(2). This next round of funding is very important to keep the project moving toward its goal. This funding request in the amount of \$800,000 has already been submitted to the Florida Department of Environmental Protection for consideration in this second cycle.

\$550,000 This requested funding is to initiate a citywide upgrade of its potable water system. Particular focus will be given to upgrading size-deficient lines and improving fire flow line pressure where needed.

This request for funds is to evaluate and make improvements to downtown traffic flow patterns. The intended use of said funds will be for improving pedestrian safety, installing traffic calming features, rerouting truck traffic around busy urban streets, providing for additional parking and possibly converting the existing traffic design to a pattern more suitable to business and pedestrian needs.

Motion:

Motion was made by Bernardini and seconded by Lewis to endorse as presented. Motion carried 5-0.

Planning & Engineering Services for CDBG & WAP Grants

1) Approval to advertise for proposals for CDBG engineering services; and, 2) Approval of option(s) for planning & engineering services for WAP Grant.

Geiger stated that the money has been approved and the agreements have been signed. At this time, the City needs to go out for Requests for Qualifications for another grant consultant. He added that in the interim, the City has been working with Brewer and Associates as the Special Projects consultant for planning services and are close to providing an agreement to Council for consideration. City Manager Anderson clarified that at the last meeting, Council directed staff to prepare RFPs for planning services but for the interim, staff is negotiating terms and conditions under the current contract with Brewer and Associates. City Clerk Phillips stated that the consultant that is eventually selected could work on the WAP grant, CDBG and the bulb out project. Council Member Johnston offered his opinion that he would have no problem continuing staff negotiations with the current consultant. He questioned and it was clarified that there are no rules on the WAP grant for prohibiting a combined request for engineering and planning services.

Concerning the CDBG grant, the City has approved the planning consultant with Brewer and Associates, who will providing the administration services. A Request for Proposals is needed for the engineering services.

Motion:

Motion was made by Bernardini and seconded by Johnston for an agreement with Angie Brewer and Associates for the planning service related to the WAP Grant to be brought back for approval. Motion carried 5-0.

SELECTION OF OFFICERS

Selection of Mayor

Motion:

Motion was made by Lewis and seconded by Wever to nominate Joseph E. Johnston, III, as Mayor. There were no further nominations. Motion carried 5-0.

Selection of Vice Mayor

Motion:

Motion was made by Lewis and seconded by Johnston to nominate E.E. Wever, Jr., as Vice Mayor. There were no further nominations. Motion carried 5-0.

Selection of Mayor Pro-Tem

City Clerk Phillips pointed out that according to Resolution No. 98-24 which designates the Mayor Pro Tem by seat number, Mary A. Staib would be the Mayor Pro-Tem with Richard Lewis and Joe Bernardini following suit respectively.

CITIZEN'S INPUT

B. ED TINCHER, POLICE CHIEF

Surplus Bicycles

Chief Tinchler requested approval to declare 23 bicycles surplus so some of them can be repaired and given away to children at a drawing at the Christmas Festival on December 9, 2000.

Motion:

Motion was made by Lewis and seconded by Johnston to approve declaring the bicycles as surplus and authorize Chief to dispose of as he best determines. Motion carried 5-0.

Emergency Management Grant

Charles Burnett stated that the City may want to reconsider the need for a generator for emergency preparedness.

Council Agendas

Mr. Burnett requested that copies of the agenda be put at the receptionist desk for citizens, which City Clerk Phillips indicated would not be a problem. She added that it is sent to the newspaper, it is posted on the bulletin board and on the City's web page.

JOE BERNARDINI, COUNCIL MEMBER

Election Support

Council Member Bernardini thanked those who supported him in the election and promised to work hard over the next four years. He stated that he is a big proponent of downtown and City revitalization and of reversing the one way pairs.

E.E. WEVER, JR., VICE MAYOR

Street ownership

Vice Mayor Wever reminded Council that a letter was sent to the County on December 17, 1999 about the City having jurisdiction over certain City streets. He believed that they had not responded. City Attorney Battista suggested that the Administrator's office could be contacted on the status.

Fire Dept - 2 in/2 out rule

Vice Mayor Wever asked if the City Manager was planning to provide Council with a completed Florida League of Cities "2 in/2 out" rule survey, which Anderson confirmed.

PHCC well field location

Vice Mayor Wever stated that he provided a copy of the easement to the Water Supply Board, whose attorney advised that the City would have legal possession of the property based on the agreement and easement. He added that ownership should not be a problem.

Vice Mayor Wever continued by expressing his opinion that the City already owes Coastal Engineering Associates for the PHCC well field site and he would be in favor of going back to the original location. In response to Council Member Staib's question of how much of a problem it would be for the City to go under U.S. 98 to another well field location, Director of Public Works stated that it would be no problem except for the cost factor of approximately \$25,000 or \$50,000.

Mayor Johnston provided staff with a real estate listing he had for 9 ½ acres across from PHCC. Vice Mayor Wever stated that staff needs to consider surface usage of the properties on each side of the wells. The college site would be less of a problem for contamination.

In response to Council Member Lewis' question, Pierce advised that the wells are 400 - 500 feet deep.

MARY A. STAIB, COUNCIL MEMBER

Art Reception

Council Member Staib reminded Council about the art reception to be held on December 7, 2000.

Christmas Parade

Council Member Staib advised that the Christmas Parade is on December 9th at 10:00 a.m. with the Christmas Festival immediately thereafter. The Christmas Open House at the Museum is that day as well.

City Clerk Phillips stated that Council Members need to be at City Hall at 9:15 a.m. for the parade.

RICHARD E. LEWIS, COUNCIL MEMBER

Congratulations to Joe Bernardini

Council Member Lewis offered his congratulations to newly elected Council Member Bernardini and added that he looks forward to serving with him.

KAREN M. PHILLIPS, CMC, DIRECTOR OF ADMINISTRATION

Tourist Development Council

City Clerk Phillips presented the City the annual ornament from the Tourist Development Council.

Christmas decorations

City Clerk Phillips advised that the utility window drive through will be decorated and open Friday through Sunday.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 11:00 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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REGULAR COUNCIL MEETING

December 18, 2000 7:00 P.M.

Brooksville City Council met in regular session with Mayor Joseph E. Johnston, III, Vice Mayor E.E. Wever, Jr., and Council Members Joe Bernardini, Richard E. Lewis and Mary A. Staib, present. Also present were Robert B. Battista, City Attorney; Richard E. Anderson, City Manager; James Daugherty, Fire Chief; Bill Geiger, Community Development Director; B.J. Coryer, Director of Finance; Karen M. Phillips, CMC, Director of Administration/City Clerk; Emory Pierce, P.E., Director of Public Works; David Pugh, Parks and Recreation Director; and Ron Woods, Police Department. There was a member from the St. Pete Times in attendance.

The meeting was called to order by Mayor Johnston, followed by the invocation and pledge of allegiance.

CONSENT AGENDA

Minutes:

Budget Workshop - August 8, 2000

Motion:

Motion was made by Lewis and seconded by Wever to approve the December 18, 2000 Consent Agenda. Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Proclamation - "Wendy's High School Heisman Day"

Proclaiming December 8, 2000 as Wendy's High School Heisman Day and honoring recipient Aaron Moneyhan, senior high school student.

Mayor Johnston read and presented the proclamation to Aaron Moneyhan, along with a City of Brooksville clock.

Proclamation - Marilyn Ceh

Honoring United Way of Hernando County's Executive Director - Marilyn Ceh.

City Clerk Phillips read the proclamation, which would forwarded to the United Way Board the following morning.

Holiday Decoration Contest Awards

The Beautification Board requests recognition for the best decorated residence and business.

Council Member Staib, as a member of the Beautification Board, presented plaques, certificates and gift prizes to residential recipient Vernon and Diane Turner, 900 Moonlight Lane and commercial recipient S.W. Cole, 242 Howell Ave.

PUBLIC HEARING

a. Ordinance No. 536-B - Competitive Bidding

Consideration of revision to code to maintain current \$6,000 level but add section to allow utilization of

statutory limits when joint purchasing with County and/or School Board. [First Reading - December 4, 2000]

City Clerk Phillips read Ordinance No. 536-B by headnote only, as follows:

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VIII - FINANCE OF THE CODE OF ORDINANCES REGARDING COMPETITIVE BID REQUIREMENTS; AND PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

There was no public input on the ordinance.

Motion:

Motion was made by Lewis and seconded by Staib to approve Second Reading of Ordinance No. 536-B. Upon roll call, motion carried 4-1, as follows:

Bernardini Aye

Lewis Aye

Staib Aye

Wever Nay

Johnston Aye

b. Implementing Policy

Motion:

Motion was made by Lewis and second by Staib to approve the implementation policy. Motion carried 4-1 with Wever voting in opposition.

REGULAR AGENDA

Youth and Family Alternatives (AGENDA ITEM G-3 MOVED TO REGULAR AGENDA)

Rolly McDonald, Spring Engineering, requested consideration in waiving or donating the impact fees for transportation and water and sewer connection fees. He further expressed concern with the City's policy on water meter location and installation due to the project's limited budget. City Manager Anderson advised that staff could come back to Council with information on the meter hook-up policy if directed.

Sheriff Mylander came forward to express support of the Youth and Family Alternative shelter for runaway youth.

George Magrill, Chief Executive Officer of Youth and Family, gave an overview of the design.

In response to Council Member Bernardini's question, Community Development Director Geiger explained that by ordinance and the City/County Interlocal Agreement, the impact fees cannot be waived. Mayor Johnston stated that it his understanding that they would have to be taken out of general reserve and put it into the impact funds. Geiger expounded by stating that the City would do a direct transfer from one account to another so that the County does not have administrative costs associated with it.

Motion:

Motion was made by Bernardini and seconded by Lewis to waive water and sewer connection fees and impact fees. Vice Mayor Wever suggested that the word "waive" not be used. Bernardini clarified that they would be paid out of general fund reserve. Council Member Lewis felt that the motion may want to include that it would be an in-house transfer, to which Bernardini agreed.

Vice Mayor Wever voiced his opinion that this is a double taxation issue for City residents. Mayor Johnston questioned how the shelter is proposed to be funded year after year. George Magrill offered that this is the 33rd or 34th shelter of its kind and added that the State and the Department of Juvenile Justice pays a good portion of the operating dollars, such as 75% with the shelter providing 25%. He added that they have received word that \$500,000 will be available for their budget from legislative funding. Mayor Johnston brought up for discussion the fact that this shelter is targeted to be used by other Counties and questioned if cities in Citrus County had been approached for funding. Magrill advised that at this point only the areas of immediate local investment have been approached, although they do know that Sumter County is attempting to work with them.

Discussion ensued on the use of uniform officers on location.

Mayor Johnston expressed his preference that Council only waive impact fees rather than waiving water and sewer fees.

Motion carried 4-1, with Johnston voting in opposition. Mr. Magrill advised that he would keep Council informed of the project.

Agreement - Water Panel Advisory Grant Program - Angie Brewer and Associates

Approval of Planning and Administration services agreement for WAP grant in an amount not to exceed \$74,114.

Community Development Director Geiger stated that Council direction is requested to draft a contract with ABA for the Mayor's signature and approve advertisement for engineering services for the WAP grant program. Council Member Bernardini questioned the timeline of the project. Mark Brewer stated that it is based on information availability but it should take 4 or 5 months to complete planning with administration of the grant taking about a year, which includes engineering and a phase of construction.

Mayor Johnston requested that the contract provide that the City will have ownership and control over maps, electronic documents, etc.

Motion:

Motion was made by Lewis and seconded by Staib to approve the planning and administrative services agreement for the WAP grant with Angie Brewer and Associates for an amount not to exceed \$74,114. Motion carried 5-0.

Motion:

Motion was made by Wever and seconded by Lewis to advertise for engineering services for both CDBG and WAP grant on the basis of either or both. Motion carried 5-0.

Public Officials' and Employment Practices Liability Insurance

Consideration of obtaining coverage from Zurich Insurance, Inc. at an annual premium of \$15,103, effective January 1, 2001.

Director of Finance Coryer explained that Virginia Surety is not writing public liabilities claims in Florida and the City's record is not the best on same. He acknowledged that the insurance rates are higher than last year, but there is a little more coverage than before. In response to Mayor Johnston's question, Coryer stated that they had not heard back from FLC but that he could still pursue that.

Motion:

Motion was made by Staib and seconded by Lewis to approve Option I of an annual premium of \$15,103.00.

City Manager Anderson addressed Council Member Bernardini's question on the reference of the Diana Johnson case in the City Manager's memo.

Motion carried 5-0.

Fairgrounds - Proposed Extension of Sewer Service

Consideration of extending sewer service, U.S. 41 South from Barnett Road to Fairgrounds, at an estimated cost of \$275,000.

City Manager Anderson began by stating that there have been ongoing discussions with the County on their request to obtain sewer service for the proposed animal control facility at the fairgrounds. The County has questioned when the City plans to extend water service to that location. The County has informed that they propose to build a gravity line near the western side of the property and interconnect further south on the existing County system. He stated that he has advised the County that it is not consistent with Council's position on long-term plans and not consistent with the contract recently approved with the consulting engineer for extension of service. He stated that this request is for Council consideration of extending service from Barnett Road to the fairgrounds. A location map has been provided, and cost of \$275,000 is still a current estimate. An option for funding would be the utilities Repair and Replacement Account.

Director of Public Works Pierce confirmed Council Member Lewis's question that the sewer line that comes down the truck by-pass is a 16" force main on the north side. Pierce advised that Alternative D is the best alternative and will flow into the 18" gravity on the north side of S.R. 50. It will require no additional crossing on S.R. 50 but will utilize a location west on Barnett Road and come across U.S. 41. In discussing whether to run the line on the East or West side of U.S. 41, it was pointed out that the west side is less developed and will involve less disruption. It will also allow for future development and ultimate City annexation.

Vice Mayor Wever referred to the copies from the bond resolution provided to Council and explained that the old bond resolution required that any property in the City that has a water or sewer line in front or beside it has to be connected to the City system. He then called attention to the 1999 bond resolution that requires that all lands, buildings, residences or structures within the City limits which can use the facilities must connect therewith. There is no statement that the City's lines have to be in front of the property, just that if it is inside the City. He stated that if the Bairds Mobile Home Park and the other properties along there are in the City, according to the bond resolution, the City has to connect it. Pierce stated that the City is serving residences that flow through the Bairds Mobile Home Park private line. The County has found the lines in Bairds to be in disrepair with clay lines. An easement was attempted around Bairds but was unsuccessful.

Mayor Johnston agreed with Vice Mayor Wever's interpretation that the bond resolution's further intent is that the County can not come inside the City limits to provide service or buy a private system such as Bairds.

Motion:

Motion was made by Bernardini and seconded by Lewis to approve Alternative D.

Vice Mayor Wever voiced support of the motion in an effort to block any County long-range plans to bring water and sewer down U.S. 41 and Wiscon. City Manager Anderson stated that this approval implements only a portion of the City's long range utility extension project. He asked for authorization for this additional work to be done under the existing agreement with Coastal Engineering or to prepare a separate RFP and for Council to identify the use of funds. Mayor Johnston agreed that the funding options should be presented to Council timely. Vice Mayor Wever felt that the current contract with Coastal to do that survey could be amended for design for this section of it, to which Mayor Johnston agreed.

Mayor Johnston questioned if there was money left in the bond issue which Wever advised that there is \$2 million in bond series 1999C which would require USDA approval. He preferred using the City's R and R fund. Council Member Bernardini agreed to add that to the motion.

Len Tria, Coastal Engineering, stated that FDOT should work with the City on permitting and there should not be a problem with Smith and Company. The Vice Mayor stated that if Council approves this, he felt a letter should be sent to USDA not asking for approval but explaining Council's plan for funding and their intent to not have to borrow additional monies.

The motion was amended to include negotiation of an amendment to the Coastal Engineering contract. Motion carried 5-0.

Council discussed the 1988 bond resolution which reflected the \$250,000 from the proceeds from the sale of the bonds. Mr. Wever called attention to the requirement that the monies in the renewal and replacement fund shall be applied to pay for costs of major extensions, improvements, additions to or the replacement or renewal of capital assets of the system. He felt this proposed extension would allow Council to use the \$250,000 out of the fund. He suggested that Council make a commitment to take all revenues generated as income and transfer them back into the R & R fund.

Motion:

Motion was made by Wever and seconded by Lewis to use the \$250,000 in the R & R fund from the 1988 bond issue to cover the estimated cost of installing the line and commit to restore the R & R fund with revenue from connection fees and use of line and other revenues from utilities as determined by Council as available for use. Mr. Wever stated that the effective date of any other transfers into the R & R fund would be when the line is installed and put into operation.

Motion carried 5-0.

Vice Mayor Wever called attention to a section in the bond resolution that states that the issuer will not grant a franchise for the operation of any competing water and sewer system. He questioned the City Attorney if it can be used to block the County from coming into the City. City Attorney Battista stated that it is an issue between the City and USDA but did not feel it gives the City the authority to block the County.

Council Member Lewis questioned if an interlocal agreement would be possible with the County and have them agree that if the City lays a sewer line and the sewer line is within so many feet of a County residence, the resident would be required to hook onto the City's line. City Attorney Battista stated the County's ordinance applies to residential uses, but he would research the County's ordinance further.

LLEBG Grants - Projects

Approval of projects for funding as recommended by the LLEBG Board.

Although the list of projects was not available at this time, Ron Woods stated that it was his understanding that the main project for funding would be security cameras to be used for crime prevention. He stated that

he has not researched the exact type needed for the funds available.

City Manager Anderson stated that a response was needed to give back to the granting agency. If it turns out that there is another project that is of higher priority, that can be determined and amended.

Motion:

Motion was made by Lewis and seconded by Staib to approve the request. Council Member Bernardini stated that he is sure that the request is legitimate but was concerned about voting for something when no material was provided to Council.

Mayor Johnston clarified that the request is to authorize submittal and then brought back to Council for approval.

Motion carried 4-1 with Bernardini voting in opposition.

CITIZEN'S INPUT

Veteran's Day Event

Requesting City to consider holding a Veteran's Day event.

Anna Covell brought up for discussion the possibility of holding a Veteran's Day event. She stated that she has been working with Chief Tincher, who has suggested an event at the park rather than a parade.

Henry Wright expressed his support of the idea.

Council voiced their support by consensus. Ms. Covell stated that she would provide more information to Council at a later date.

Youth and Family Alternative Shelter

Regarding the Youth and Family Alternative Shelter, Ms. Covell felt that it was a worthwhile cause but expressed concern as a commercial business owner that it not put a burden on the taxpayers. Regarding the request for waiver of fees, she stated that many businesses were patient during the building moratorium process and felt that everyone should be treated equally. The City will now have to make up the short fall of those waived fees. She felt that the other businesses will not be happy about it because they will all be required to pay fees if and when they expand.

Blockage of Sewer Line - Damage settlement - 812 Shayne Street

Request for negotiated settlement in the amount of \$874.86 and \$2,355.47 for damage to furnishings.

Motion:

Motion was made by Lewis and seconded by Bernardini to pay the settlement amount of \$874.86 and \$2,355.47 for damage to furnishings. Motion carried 5-0.

RICHARD E. LEWIS, COUNCIL MEMBER

Holiday Greetings

Council Member Lewis wished everyone a Merry Christmas and Happy New Year.

JOE BERNARDINI, COUNCIL MEMBER

Happy Holidays

Council Member Bernardini wished everyone a happy holiday.

Liaison - Council and Sheriff's Department

Council Member Bernardini requested Council approval to be a liaison between the Council and the Sheriff's Department. Mayor Johnston stated that he did not have a problem with that and agreed that a flow of information between the two is important.

E.E. WEVER, VICE MAYOR

Christmas Festival

Vice Mayor Wever complimented staff for the hard work done at the Christmas Festival.

FDOT-Mildred Ave.

Vice Mayor Wever pointed out that a year or two ago, he thought that Council had requested that FDOT put a right/left turn on red sign up at Mildred and Jefferson. Mayor Johnston stated that it was discussed but it was his understanding that Council decided that a sign may encourage them not to stop at all. He added that this may not be the time to put up signs until after improvements to the intersection are completed.

Police Jurisdiction

Vice Mayor Wever stated that a letter should be sent to the new Commission Chairman since no response was received to the one sent on December 17, 1999 on the transfer of police jurisdiction to the City.

Truck Traffic on Candlelight Blvd.

Vice Mayor Wever requested that a letter be sent to Smith and Company about truck traffic on Candlelight Blvd.

Happy Holidays

Vice Mayor Wever wished everyone a happy holiday.

ROBERT B. BATTISTA, CITY ATTORNEY

Police Jurisdiction

City Attorney Battista stated that he sent a letter to County Administrator McIntosh regarding this issue.

Diane Johnson Lawsuit

City Attorney Battista informed Council that the City was served with the lawsuit the previous week, which has been forwarded onto the insurance company. It was discovered that this insurance company does not provide defense. He advised that he contacted Scott Pendley, from the legal firm used before, who has accepted the assignment and has already received an extension of time on the case.

KAREN M. PHILLIPS, CMC, CITY CLERK

Christmas Holidays

City Clerk Phillips stated that staff has recently found out that the County has changed their holiday schedule. Instead of having December 22nd and December 25th off, they approved the 25th and 26th. To ease any confusion for customers, she questioned if Council wished to change the City's at this time. She stated that she has done a survey of the City's employees which did not reveal any problems.

Motion:

Motion was made by Wever and seconded by Lewis to approve changing the holiday to December 25th and 26th. Motion carried 5-0.

JOSEPH E. JOHNSON, III, MAYOR

Public Official's Conference

Mayor Johnston called attention to an Emergency Management meeting at the County on December 20th that he would not be able to attend and questioned if anyone would like to attend on behalf of the City. City Manager Anderson indicated that staff would monitor that meeting.

Brooksville Again

Mayor Johnston stated that Brooksville Again has requested a Council liaison. He stated that he would like to suggest that Council Member Bernardini consider that until the official appointments are made in January. There was no objection from Council. City Clerk Phillips informed Council that the Downtown Development Corporation has not regrouped and would not be requesting a liaison in January.

Happy Holidays

Mayor Johnston wished everyone a happy holiday.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:03 p.m.

City Clerk

ATTEST:

Mayor

:jjb

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