

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

MINUTES

November 17, 2008

7:00 P.M.

Brooksville City Council met in regular session with Mayor David Pugh (arrived late), Vice Mayor Frankie Burnett and Council Members Joe Bernardini, Lara Bradburn and Richard E. Lewis present. Also present was Thomas S. Hogan, Jr., Debbie Hogan, and Jennifer Rey, City Attorneys; T. Jennene Norman-Vacha, City Manager; Karen M. Phillips, City Clerk; Lindsay A. Morgan, Acting Deputy City Clerk; Steve Baumgartner, Finance Director; Mike Walker, Parks and Recreation Director; Emory Pierce, Director of Public Works; George Turner, Police Chief and Tim Mossgrove, Fire Chief. A member of the St. Pete Times was also present.

The meeting was called to order by Vice Mayor Burnett as Mayor Pugh had not yet arrived, followed by an invocation and Pledge of Allegiance.

CONSENT AGENDA

FDLE 2008 Edward Bryne Memorial Justice Assistance/JAG Grant

Acceptance of the \$1,139 2008 Edward Byrne Memorial Justice Grant Program Florida JAG Direct Grant and authorize the Mayor to execute the necessary grant documents, together with approval of appropriate budget amendment.

2007-08 Budget Amendments

Consideration of year end budget amendments.

Christmas Holiday

Revision to 2008 Holiday Schedule to switch annual Christmas Holiday dates from Wednesday (12/24/08) and Thursday (12/25/08) to Thursday, December 25th and Friday, December 26th to match the Hernando County revised calendar.

Council Member Bradburn requested discussion of item C-2.

Motion:

Motion was made by Council Member Lewis and seconded by Council Member Bernardini to discuss item C-2. Motion carried 4-0.

Insurance

Council Member Bradburn asked what the difference was from last year and this year, to which Finance Director Baumgartner replied some current employees who did not take the insurance last year, opted to take the insurance this year.

Fire Department overtime

Council Member Bradburn asked why the overtime was not accounted for in the budget if staff knew they were short staffed. Finance Director Baumgartner explained that the Finance Department looks at the budget from a macros stand point and not individual departments, which was discussed, as well as bereavement and military leave. Fire Chief

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Mossgrove noted staff identified the scheduled and unscheduled overtime in this year's budget. Council Member Bradburn asked Chief Mossgrove to ensure that procedures against these budget glitches are implemented.

Motion:

Motion was made by Council Member Bernardini and seconded by Council Member Lewis for approval of the Consent Agenda. Motion carried 4-0.

Council Member Lewis, referencing the memo on Item C-3, requested memos be addressed to the Honorable Mayor and City Council Members instead of Honorable Mayor and City Councilmen to show equality.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Kiwanis Club of Brooksville Fee waiver Request

Consideration of request from Kiwanis Club of Brooksville to waive tent fee permit application fee of \$100 and surety cleaning bond of \$500 for the December 13, 2008, fundraising event in honor of Dr. Paul Farmer, which will be held at the SunTrust Parking Lot on the corner of Orange and Jefferson.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Lewis for approval of the waiver request.

Council Member Lewis suggested the dates be added to the Temporary Use Structure Permit Application that was submitted to the City. Motion carried 4-0.

Council Member Bernardini asked about the \$500 bond fee, which City Manager Norman-Vacha reviewed.

Tricia Bechtelheimer, Event Chair, advised that the event for Dr. Farmer is going well and thanked City Manager Norman-Vacha for helping get the library opened for the Book Signing, which she indicated two universities are bringing students to. Council Member Bradburn commended Ms. Bechtelheimer on the incredible job she has done arranging the event and encouraged all to purchase tickets to the event, the funds of which will be donated to Partners in Health.

REGULAR AGENDA

Resolution No. 2008-29 Certification of Canvassing Board Results

Consideration of resolution officially declaring the results of the November 4, 2008, Municipal Election of David Pugh, Jr. as the Group Seat No. 2 City Council Member and Joe Johnston as the Group Seat No. 3 City Council Member for 4-year terms of office from December 1, 2008 through December 2012.

City Clerk Phillips reported that Section 30-12 of the City of Brooksville Code of Ordinances specifies that once the Canvassing Board certifies the results City Council officially declares the results of the election via resolution, which she reviewed.

City Clerk Phillips read Resolution No. 2008-29 by title, as follows:

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**A RESOLUTION OF THE CITY OF BROOKSVILLE DECLARING
OFFICIAL RESULTS OF THE MUNICIPAL ELECTION HELD ON
NOVEMBER 4, 2008; PROVIDING AN EFFECTIVE DATE.**

Motion:

Motion was made by Council Member Lewis and seconded by Council Member Bernardini for approval of Resolution 2008-29.

Motion carried 4-0 upon roll call vote, as follows:

Council Member Bradburn	AYE
Council Member Lewis	AYE
Council Member Bernardini	AYE
Vice Mayor Burnett	AYE

Council Member Bradburn suggested the City's delegate be more involved in the next election, particularly in the role of attending the poll workers school as part of that function to ensure greater accountability.

Hometown Cloverleaf Phase II Utility Service Agreement (USA)

Consideration of approval of USA with Hometown Cloverleaf Phase II, LLC and Hometown Cloverleaf LLC, granting utility and drainage easements as included therein and authorizing the City Manager to execute the USA.
[Continued from 10/06/08]

Director of Public Works Pierce indicated the agreement has been amended per Council direction whereby Hometown Cloverleaf will only get 50% of their water impact fees back in exchange for the City installing approximately ½ mile of 12" waterline. He indicated the drainage easement amounts to approximately .29 acres. He requested Council approval subject to Legal Counsel approval and signature.

Director Pierce advised that ultimately the City will gain \$87,182 in impact fees plus 2,600 lf. of 12" waterline that can be used to serve additional customers.

Council Member Lewis questioned who would be responsible on maintaining this property and suggested it be the developer. Director Pierce advised it is not specified but the agreement can be revised. City Manager Norman-Vacha suggested Council make it a part of the motion. Council Member Bradburn indicated she had spoken to the engineer who advised that it is the developer's intent to maintain the easement in perpetuity.

Motion:

Motion was made by Council Member Lewis and seconded by Council Member Bradburn for approval of the Utility Agreement with addition of the developer to maintain the non-exclusive drainage right-of-way tracts B & C. Motion carried 4-0.

The Enrichment Center of Hernando County

Update on proposed partnership with The Enrichment Center of Hernando County, requesting consideration of use of the Jerome Brown Community Center for their activities/programs and special needs shelter project.
[Continued from 10/06/08]

- a) Partnership with the Enrichment Center of Hernando County.

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- b) Special Needs Shelter Proposal and Resolution of support.

Parks & Recreation Director Walker reviewed the proposal and information requested by Council, along with Deborah Walker-Druzbeck of the Enrichment Center.

Robert Lockmiller, "Mr. Buttons", introduced himself and Tracy Pager read a short statement and story by Mr. Buttons.

Council Member Lewis voiced his support towards this project, stating he has always felt the Jerome Brown Community Center was under utilized. Council Member Bradburn shared Council Member Lewis' enthusiasm for the project.

Vice Mayor Burnett was also very supportive of the cooperative efforts.

Mayor Pugh asked Director Walker how the City would ensure summer programs would not be affected with the incorporation of the Enrichment Center. Director Walker and Ms. Walker-Druzbeck reassured Council they would do whatever it takes to make things work. Mayor Pugh also inquired if staff would still allow children to show up anytime there is supervision, to which Director Walker advised yes.

Council Member Bernardini asked if the legal aid was offered to all ages or seniors only, to which Ms. Walker-Druzbeck advised it was open to all ages. Attorney Joe Mason, Enrichment Center Board Member, elaborated on the issue as well. Discussion followed. Council Member Bernardini requested more time to thoroughly review the proposal and intended space. Vice Mayor Burnett suggested calling a workshop to further discuss the issue. Council Member Bernardini felt the next meeting would be fine. Lengthy discussion continued of concerns of both parties and the needs of the community.

Council Member Bernardini asked for clarification as to whether the two issues, A and B are intertwined; can one be accepted without the other or is it a package deal. City Manager Norman-Vacha indicated the package was presented to Council for discussion and to iron out the details. It was not staff's intention that the issue be finalized tonight

Council Member Bradburn suggested in Section 3, Program Scheduling, adding a percentage breakdown to ensure the youth activities take priority. She indicated the elderly segment of the population is in dire need of senior programs as the economy gets worse.

On the first page of the agreement, under facilities, where it states that the City will be responsible for custodial duties, facility maintenance, restrooms, utilities, solid waste disposal, repairs to the facility which are not the result of actions caused by negligence or misuse by the partner, Council Member Bradburn requested that "any damage to the facility resulting from the collaborative partner activities or related to it's participants is the responsibility of the partner" be added. On page 3 under paragraph 8, Usage Fee, Council Member Bradburn advised costs are incurred in the running and upkeep of the JBCC, which continue to increase. She indicated the fee should be built in and that the area should be further reviewed.

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Regarding the 2008 schedule, Council Member Bradburn pointed out a conflict in the toddler program, which was clarified.

Council Member Bradburn stressed the need for the shelter. Council consensus was to move forward to finalize a plan.

Motion:

Motion was made by Council Member Lewis for a special meeting on Monday, November 24 at 7:30 to discuss part A.

Mayor Pugh indicated he could not commit. Motion withdrawn by Council Member Lewis.

Motion:

Motion was made by Council Member Lewis and seconded by Council Member Bernardini for support of Part B and to move forward in collaborative agreement with the Enrichment Center. Motion carried 5-0

Motion:

Motion was made by Council Member Lewis and seconded by Council Member Bradburn for acceptance of Resolution No. 2008-30.

City Clerk Phillips read Resolution No. 2008-30 by head note as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, IN SUPPORT OF AN SPECIAL NEEDS EMERGENCY SHELTER FOR HERNANDO COUNTY; ESTABLISHING A COLLABRATIVE EFFORT FOR A COMMUNITY LEARNING AND ENRICHMENT CENTER; AND PROVIDING FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.

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

Council Member Bradburn	AYE
Council Member Lewis	AYE
Council Member Bernardini	AYE
Vice Mayor Burnett	AYE
Mayor Pugh	AYE

Motion:

Motion was made by Council Member Lewis and seconded by Council Member Bernardini for Part A to be added to the agenda of December 1 and asked Council to give the City Manager their concerns and questions.

Discussion continued with Mr. Mason making suggestions for the negotiation process.

Council Member Bradburn felt there to be sufficient evidence of Council support to enable the Enrichment Center to move forward with their deadlines and negotiations.

The motion and second were withdrawn.

Council directed staff to place Item A on the agenda of December 1 for further discussion of the use of the JBCC by the Enrichment Center and to discuss any questions with the City Manager.

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ITEMS BY COUNCIL

Council Member Bradburn

Great Brooksvillian Reception

Council Member Bradburn reminded all that she has Great Brooksvillian Reception tickets if anyone is interested.

Council Member Lewis

Tobacco Free Florida

Council Member Lewis advised he distributed Tobacco Free Florida magnets which is a program offered by the State and being sponsored by the Hernando County Anti-Drug Coalition.

City Manager Norman-Vacha

She wished everyone a Happy Thanksgiving and asked all to remember the less fortunate.

City Attorney Thomas Hogan

He stated he has enjoyed working with Vice Mayor Burnett.

Council Member Bernardini

He wished everyone a Happy Thanksgiving as well and noted he has also enjoyed working with Vice Mayor Burnett, wishing him well.

Mayor Pugh

He noted he would miss working with Vice Mayor Burnett and wished all a Happy Thanksgiving, including his students at Nature Coast High School.

Vice Mayor Burnett

Vice Mayor Burnett elaborated on his time with Council, noting that he is proud to have served and that he will continue his efforts in the community. He clarified that his intent is to better the community as a whole, not just the South Brooksville area. Council Member Bradburn pointed out Vice Mayor Burnett's goals are the current Council's goals as well.

CITIZEN INPUT

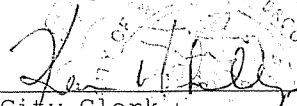
Kojack Burnett

Mr. Burnett let Council know he will continue to attend the meetings, be more vocal on issues, and wished everyone a Happy Thanksgiving.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:07 p.m.

Attest: 
Mayor


City Clerk