

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

MINUTES

April 6, 2009

7:00 P.M.

Brooksville City Council met in regular session with Mayor Joe Bernardini, Vice Mayor Lara Bradburn and Council Members Joseph E. Johnston, III and Richard E. Lewis present. Also present were Thomas S. Hogan, Jr., City Attorney; Jennifer C. Rey, City Attorney; T. Jennene Norman-Vacha, City Manager; Janice L. Peters, City Clerk; Steve Baumgartner, Finance Director; Bill Geiger, Community Development Director; Emory Pierce, Director of Public Works; George Turner, Police Chief and Tim Mossgrove, Fire Chief. Council Member Pugh was absent. A member of the Hernando Times was present.

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

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Week of the Young Child - April 12-18, 2009

Proclamation supporting the Week of the Young Child event to be held on April 18th at the Jerome Brown Community Center.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Lewis for approval. Motion carried 4-0.

CITIZEN INPUT

Margaret Legone asked for an update on the Market on Main Street petition to reopen the portion of Main Street in front of the Courthouse. City Manager Norman-Vacha indicated it is progressing and Council will have an update at the next Council Meeting.

Ishonda Rayne indicated her family and another family has restraining orders against each other and believes the other family to be violating the order. She feels she is getting nowhere with the Police Department. Mayor Bernardini urged her to meet with City Manager Norman-Vacha either after the meeting or in the morning.

CONSENT AGENDA

Firefighter's Pension Trust Fund Board

Consideration of reappointment of Regina Martin to an expiring 2-year term of office through February 28, 2011. No other applications were received.

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Award of Manhole Rehabilitation/Sealing Bid No. UD2009-04

Consideration to approve award of Bid No. UD 2009-04, Manhole Rehabilitation/Sealing, to American Underground Services, Inc. for the not to exceed amount of \$22,150 and to authorize the Mayor to sign an Agreement for Contractor Services after all documents have been reviewed by the City Attorney.

FY2008/09 Budget Amendment

Consideration of budget amendment transferring \$72,000 from General Fund to the Multi-Capital Fund (308) which is the savings in General Fund from the reduction in insurance costs for the last 6 months of the fiscal year ending 9/30/09 rounded at \$72,000 after deductions for Workers' Comp.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Lewis for approval of the consent agenda.

Mayor Bernardini asked Director Pierce about the bid specifics, which he reviewed. Mr. Pierce explained that the budget amendment in Item 3 came from the savings in insurance for this fiscal year.

Motion carried 4-0.

Audited Financial Statements

Review and acceptance of Annual Audit for Fiscal Year ended 09/30/08 prepared by Oliver & Joseph Auditors, P.A.

Mary Beth Gary gave an overview of the statements for last fiscal year. She reviewed the changes Council requested to the budget and the streamlining of the process, which was discussed.

Vice Mayor Bradburn commended Ms. Gary on her personal involvement in the auditing process and that the investment showed in the quality of the report which reflected significant improvement internally with financial and business operations. She also commended staff for recognizing some weaknesses in past audits. She asked Ms. Gary to elaborate on the City's desire to implement a 3-prong process next year.

Ms. Gary stated that in the next few weeks she will be working on the plan for this year's audit with the Finance Department and the City Manager since it is already half way through the fiscal year of October to September. One of the challenges in doing the audit this year was not being able to get in and do some interim work prior to year end. There are many benefits to the staff, to the City and to the auditors in doing that. A timeframe has not been established but she certainly expects some initial work around June, again before year end and then the final around the first of the year after everything has been closed out. This process not only feeds into the controls in trying to avoid problems but also the efficiency aspect.

Vice Mayor Bradburn indicated the opening segment gives a synopsis of good happenings in the last few years and that Brooksville is becoming one of the most progressive cities in Tampa Bay. She appreciates the work on the lay out, making it very understandable.

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Council Member Johnston commended Finance Department staff for working in a good and efficient manner with limited manpower. Mayor Bernardini also commended staff.

City Manager Norman-Vacha spoke briefly of the Microix software that will greatly benefit the process. She thanked Ms. Gary for her time and assistance along with her staff.

Motion:

Motion was made by Council Member Lewis and seconded by Council Member Johnston for acceptance of the financial statements. Motion carried 4-0.

Update/Report on “Regional Water Supply Framework”

Update from the Withlacoochee River Water Supply Authority (WRWSA).

Jack Sullivan, Executive Director of WRWSA, gave Council an update on the region's water supply, beginning with a brief background of the water supply planning effort of the last four (4) years. During the planning effort he indicated at least two (2) major problem areas within the region were identified. The first is in southwest Hernando County with the impact of well fields in Pasco County as well as significant growth in west Hernando County. Ground water withdrawals are at their limits in those areas. The second is northeast Sumter County with the impact of The Villages development, significant growth in Lake County and the potential for five (5) new DRI's in the Wildwood area. He advised that alternative water supplies would be needed in the area within twenty-five (25) years.

Vice Mayor Bradburn clarified the alternative water sources from the Withlacoochee River are surface water take off.

Mr. Sullivan indicated some projects identified in the master planning process are processes for conservation to extend the use of ground water and reclaimed water. He proceeded to review long term plans and needs for an integrated regional water supply system.

Vice Mayor Bradburn indicated Hernando County taxes increased to help pay for the Pasco County improvements for over pumping that the district allowed.

Council Member Johnston asked if the ten to fifteen (10-15) year time-frame process could be sped up. Mr. Sullivan indicated ground water monitoring is done continually and updates are made every five (5) years. He believed the first local government to need improvements will be Hernando County. He also elaborated on Citrus County's position on the issue, which he indicated is mixed.

Vice Mayor Bradburn commented that Citrus County citizens are not overly supportive of these plans. She asked when to expect the minimum flows and levels to be completed and at what percentage. Mr. Sullivan replied the schedule indicates 2011 on the lower Withlacoochee River with 2017 as the completion year.

Vice Mayor Bradburn advised The Villages has to come up with an alternative water supply by permitting by 2013, with their alternative water supply being the Withlacoochee River, Lake Rousseau and Holder. Mr. Sullivan replied they have the ability to either develop an alternative water supply or to develop a dispersed well field that does not trip any of the MFL's in the area. There is a dispersed well field in north Sumter County that is being looked at along with help from the Water Management District to meet that 2013 deadline. A lot of the groundwater analysis has been done on the project and in October will start

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with the Water Management District to develop field data in that rural area which will take about a year. He indicated a well field could be established within the next five (5) years.

Vice Mayor Bradburn indicated she is quite familiar with the peaks and lows of the Withlacoochee and the “water wars” certainly concern her. She indicated the cooperative agreements were mandated with Manasota and DeSoto since they are in the Swockett area. She advised being more cautious and slow going to develop agreements as the long term health of this region will depend on Interlocal agreements. A lot of the over pumping to the southwest can be directly attributed to the over pumping in Pasco County which was originally connected to Tampa Bay Water. Mr. Sullivan indicated the analysis was done of lowering of the groundwater table and the impact of the Pasco wells at their reduced rate, not the highest pumping rate they had before.

Vice Mayor Bradburn elaborated on the danger of proceeding too quickly stating Pasco County was in a bad situation during the 80’s and 90’s for this reason. Even though Hernando County is not in dire straits as some profess, she feels the minimum flows and levels are going to show that there is not as much to give with the Withlacoochee River or Weeki Wachee. There is ample scientific data to already show the damaged estuaries with Withlacoochee and Weeki Wachee from the lowered flows. Years ago, the Southwest Florida Water Management District (SWFWMD) started to look at what might be available with some of the run off from the green swamp. The green swamp for the last century has been channelized and overdeveloped. Millions of gallons a day are lost from run off that never reaches the end of the Withlacoochee and yet there seems to be little effort to shore up those boundaries. SWFWMD has made some wonderful efforts to put that land in the preservation. Harnessing all of the flow of the green swamp would reduce a lot of need for groundwater pumping. The Withlacoochee River, aquifer and environment would be healthier by stopping the run off. It was not the original intent of the 2005 Legislation to look at the Withlacoochee River or local sources as an alternative source.

Mr. Sullivan replied that WRWSA has no jurisdiction in the green swamp. Vice Mayor Bradburn stated that there are interlocal agreements with jurisdictions working together. If the Withlacoochee River is being looked at as a source, you have to look at the source of the Withlacoochee. Mr. Sullivan agreed but stated it is something beyond their capability of doing right now and is more in the Water Management District. He can do more communicating and did not realize it was such a huge problem that the green swamp was not being channelized to get more water into the Withlacoochee River.

Mr. Sullivan stated there is more water available in the Lake Rousseau area and a long term analysis to set a minimum flow and level will determine how much water is available out of that pool. Others who have done an analysis stated there is up to 100 million gallons per day that comes out of the Lake Rousseau pool. Tampa Bay Water that still has in some of their green sheet plans to take water from Lake Rousseau. He sees Lake Rousseau as being a source of water supply but how much is available still has yet to be determined. Vice Mayor Bradburn indicated she thought it was around 52 million gallons per day not 100 million gallons. There are several bills moving through the legislature which cut the 2005 Growth Management legislation which would allow developers to avoid the DRI process. The Villages is going to use the rest of the region as their source to allow them to continue to grow. Mr. Sullivan stated The Villages has a set DRI and they are about 2/3 built out in that DRI and they have no more land. They are completely surrounded by these 5 DRI’s and the City of Wildwood. That has been taken into consideration in projecting water demand over

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time. The 5 DRI's have tried to annex into the City of Wildwood to be able to get water and sewer service, comprehensive plan amendments, rezoning, and so on.

Mr. Sullivan stated that at some point in time, alternative water supplies will be needed and there are only 3 places: the Ocklawaha River, the Withlacoochee River and a desalination plant at Crystal River. Vice Mayor Bradburn asked if Progress Energy has a desalination plant in their plan. Mr. Sullivan replied there is an agreement between WRWSA and Progress Energy to use their alcohol canal. A site would have to be acquired off of their site for a desalination plant. Vice Mayor Bradburn stated a long term desalination plant may not be the best financial advantage but would be the best environmentally. Mr. Sullivan stated it is going to play a part in the future water supply system and will be there during a need such as a drought since it is the most expensive way to get water. Vice Mayor Bradburn stated desalination would preserve our rivers and natural resources for the future. She encouraged the Water Supply Authority to support cluster development instead of sprawl for water conservation.

Vice Mayor Bradburn is concerned that The Villages has to name an alternative water source by 2013 and the minimum flows and levels may not be set by then. The 5 DRI's cannot go through the DRI process without naming alternative water sources and there is pressure from the St. John's River. She advised these issues are bearing down and not to accept the pressure from those demanding use of Hernando County water resources. They can look at other alternative sources first.

Mr. Sullivan stated he believes WRWSA will be able to develop the well field. The Villages has to be able to supply seven (7) million gallons a day from their existing permit. With the well field, they would be able to meet all their requirements. The City of Wildwood is in the process of doing a sequel into the lower Florida aquifer. If it works out, that will be their long term water supply. The Florida aquifer flows from behind the green swamp and to the northwest.

Mr. Sullivan stated there is a very long way to go and a difficult process to put it all together and he is looking for guidance and support to negotiate a strategy for the long term. It takes ten to twelve (10-12) years to develop an alternative water supply source with fifteen (15) years to get it in place.

Council Member Lewis stated his concern is the cost of the infrastructure and would like to see other incentives from the Water Management District. He asked who would pay for supplying water to another jurisdiction should there be a need and how would that be monitored. Mr. Sullivan replied those are operational issues and will have to be worked out. Council Member Lewis stated once the 5 DRI's get zoned and planning is done, they could sell to the Villages. Mr. Sullivan stated that is possible but it will be developed either way.

Mayor Bernardini indicated the position of the council is not totally opposed to this but with concerns as indicated. Council Member Lewis stated it will have to be a concurrence of the entire area. Council consensus was to be kept abreast of the progress for the program.

Civil Engineering, Planning and Consulting Services

Authorization to obtain continuing Civil Engineering, Planning and Consulting Services on an as-needed basis.

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Director Geiger reviewed the RFP process Hernando County went through and the proposed agreement. He asked that Council consider piggybacking on their RFP and contracting with the five (5) consulting firms.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Lewis for approval. Motion carried 4-0.

VFW Unsafe Building Abatement

Consideration of request for staff to solicit Requests for Proposals to demolish the structure at 20021 VFW Road, for a cost not-to-exceed \$16,000 with funds from the City's General Fund's Reserve Contingency.

Director Geiger reviewed the proposed abatement. He noted he has spoken with the owners who will try to hire a contractor to do repairs but would like Council approval to proceed if needed. Brief discussion followed.

Motion:

Motion was made by Council Member Lewis and seconded by Vice Mayor Bradburn for approval of the abatement and allow the owner thirty (30) days for demolition or correction. Motion carried 4-0.

Cooperative Efforts – Interlocal Agreement with Hernando County Board of County Commissioners and Public Works Services

Consideration of Interlocal Agreement regarding street sweeping, equipment sharing ditch/swale cleaning, street patching, traffic signage and CDL testing.

Director Pierce reviewed the old equipment sharing agreement, indicating he wanted to add other services such as ditch/swale cleaning, street patching, traffic signage and CDL testing.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Lewis for approval of the Agreement. Motion carried 4-0.

Personnel Policy Amendments

Consideration of updates to the Personnel Policy.

a) Section 7.03 Group Insurance Plan

City Attorney Rey indicated this provides for an opt-out plan for employees with other group coverage and is a new proposed policy not currently in the Personnel Policy Manual. City Manager Norman-Vacha emphasized that the employees other coverage would have to be "group coverage". She explained this would allow employees with outside group coverage to be reimbursed up to the amount of the benefit provided by the City.

Vice Mayor Bradburn indicated she is still against the plan. Council Member Johnston expressed that it is a benefit to the employee and he does not feel the employee should be reimbursed for opting out. Discussion continued.

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Council Member Lewis made a motion to approve. Council Member Johnston recommended bringing the item back when there is a full council.

Council Member Lewis withdrew the motion.

b) Section 5.00 Holidays

City Attorney Rey indicated the changes will apply to all employees except employees currently in a collective bargaining process. Additional language to the policy will be at the City Manager's discretion whether an employee gets paid for the holiday should they have an unscheduled absence immediately preceding or after the holiday.

Motion:

Motion was made by Council Member Lewis and seconded by Vice Mayor Bradburn for approval of the amendment to the Holiday Policy. Motion carried 4-0.

CITIZENS INPUT

ITEMS BY COUNCIL

Joe Johnston, Council Member

Stubbs Street hydrant leaking and no culvert

Director Pierce will check it out. A valve near the hydrant is leaking and is scheduled to be fixed. He will check into the culvert.

Repaving

May Avenue at Liberty Street, the poles in the turning lane did not get put back in. Director Pierce indicated he will check with DOT. Vice Mayor Bradburn indicated opposition to the poles.

Signs

He advised that merge and speed limit signs are missing at Hernando Plaza.

Oil Change Company

Council Member Johnston asked about the buffer that was supposed to be there. Director Geiger indicated a concrete wall and vegetative buffer will be installed.

Lara Bradburn, Vice Mayor

Trip to Tallahassee

She indicated she visited Tallahassee with the MOAPE last week to discuss legislative priorities. She also spoke on the Ozone Attainment issue and the financial impact to local taxpayers. She noted bills that passed the Senate would eliminate transportation concurrency and create a mobility tax. She asked the Governor and House Transportation Chairman to oppose the bills.

She would like Council to authorize staff to participate in Hernando County's efforts to oppose the bills and authorize the Mayor to submit a letter.

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Richard E. Lewis, Council Member

CTN Item 6 – Petition to revoke Certification of the Suncoast P.B.A. as the City of Brooksville Police Department's Collective Bargaining Unit

He asked for clarification whether the petition was changing or eliminating collective bargaining unit. City Manager Norman-Vacha replied the petition employees have filed is to decertify.

T. Jennene Norman-Vacha, City Manager

Volunteer Appreciation

Next meeting will be preceded by a Volunteer Reception at 6:30 PM.

Joe Bernardini, Mayor

Howell Avenue Paving

Director Pierce expects it will be paved within the next two (2) weeks. The contract time ends June 2. Irene Street will be finished this week moving down to Olive Street. He will be bringing Bid approval on Natelle and Mildred for next council meeting. Bell Avenue wet taps will be fixed within a couple weeks.

MLK Blvd. Deterioration

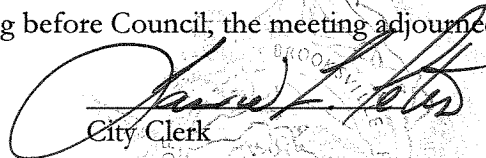
City Manager Norman-Vacha sent a letter to the County and they will seal and send out inspectors to look at the issues.

1st Annual Scott Bierwiler Softball Tournament

The Fraternal Order of Police and APACK want to be able to use JBCC kitchen for the warming of food with a fee waiver.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:37 p.m.


City Clerk

Attest: 
Mayor

