

City of Brooksville
201 HOWELL AVENUE
BROOKSVILLE, FLORIDA 34601-2041
(352) 540-3810

Joe Bernardini
VICE MAYOR



Robert Battista
Council Member

Pat Brayton
Council Member

Betty Erhard
Council Member

William Kemerer
MAYOR

"The City of Brooksville's mission is to provide superior municipal services in a reliable, efficient, fiscal and socially effective manner, making Brooksville a desirable City to live, work, and visit."

CITY COUNCIL AGENDA

MARCH 4, 2019

REGULAR COUNCIL MEETING

7:00 P.M.

VOSE LAW FIRM, LLP
CITY ATTORNEY

MARK A. KUTNEY
CITY MANAGER

JENNIFER J. BATTISTA, CMC
CITY CLERK

GENERAL INFORMATION AND INSTRUCTIONS

In addition to items listed as "Public Hearings", the Mayor will ask for comments from the public, usually requesting that anyone desiring to speak on an item, raise their hand. To insure that sufficient time is allocated for each item, unless extended by the City Council, representatives of the applicant/petitioners will have ten (10) minutes for presentation, and five (5) minutes for rebuttal. In addition three (3) minutes will be scheduled for others to provide additional comments. When recognized by the Mayor, please approach the podium and speak into the microphone, stating your name, address, if you are a citizen that lives in the Brooksville City limits, and then present the information you desire. A special time period called Citizen Input is also scheduled following the Presentations and Regular Agenda items for those desiring to address the City Council.

Items listed in the "Consent Agenda" will be approved by Council in their entirety by a single motion, indicated by the (✓) symbol, unless otherwise indicated by Council. Other agenda items are considered individually.

Consideration of the item identified on this agenda with an asterisk (*) is a quasi-judicial function of the Council involving land use, and the following procedures apply:

- Disclosure of any ex parte communications by Council members.
- Consideration of applications to intervene as a party, if any. "Request to Intervene/Expert Witness" forms and instructions may be obtained from the recording secretary prior to the scheduled time for consideration of the item.
- Qualification of sworn witnesses who wish to testify as an expert, based on statement of credentials made orally or set forth in application file.
- Swearing of witnesses who wish to give sworn testimony.
- Testimony of City staff witnesses, with cross-examination by applicant and party-interveners, if they request.
- Testimony of applicant and applicant's witnesses, with cross-examination by Council and party-interveners, if they request.
- Testimony of party-interveners and their witnesses, with cross-examination by Council and applicant, if they request.
- Testimony by members of the public who wish to address application. Any individual, not requesting/designated as an intervening party or expert witness may, upon being recognized by the Mayor, present information to the Council, and may be questioned by the Council but is not required to be subject to cross examination, and need not be sworn in.
- Close of public hearing.
- Council deliberation/vote.

Items identified with a double asterisk (**) are quasi-judicial functions of the City Council other than land use; the Council Members disclose any ex parte communications.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact Lynn Sosa, ADA Coordinator, no later than 48 hours in advance of the meeting at (352) 540-3810. Meeting agendas and supporting documentation are available from the City Clerk's office, and online at www.cityofbrooksville.us.

Any person desiring to appeal any decision with respect to any matter considered at this meeting, may need a record of the proceedings including the testimony and evidence upon which the appeal is to be based, and therefore must make arrangements for a court reporter to ensure that an admissible verbatim record of the proceedings is made.



**CITY OF BROOKSVILLE
REGULAR CITY COUNCIL MEETING
JOSEPH E. JOHNSTON III COUNCIL CHAMBERS
201 HOWELL AVENUE
7:00 pm**

ORDER OF BUSINESS

March 4, 2019

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Cecil Hubbert, Bethlehem Progressive Baptist Church, Brooksville

C. APPROVAL/MODIFICATIONS OF THE AGENDA

(Limited to City Council and City Manager)

D. CERTIFICATES AND PROCLAMATIONS

1. **Margaret Ghiotto Residential Improvement Award** **PAGE 1**
308 W. Fort Dade Ave.
Accepted by: Richard Maddalena, owner
2. **Margaret Ghiotto Commercial Improvement Award** **PAGE 3**
13 S. Brooksville Ave. - Little Lady Café
Accepted by: Rory Steele, owner
3. **Bicycle Month – March, 2019**..... **PAGE 5**
Accepted by: Ryan Malloy, Main Street Director
Mike Dolan, TDC member, bicycle
tourism promoter
Tammy Heon, Manager, Tourism Development

E. PRESENTATIONS

- SWFWMD Southwest District/Peck Sink Presentation – Drainage
recommendations/options** **PAGE 6**

Presentation by: Matthew Goolsby, Applied Sciences
Nam Nguyen, SWFWMD
Attachment: Memo dated 2/14/19 from Director of Public
Works w/attachments

F. CITIZEN INPUT

[NOTE: Input can be on any subject, whether or not on the agenda. However, input regarding ordinances, resolutions, or for quasi-judicial hearings will be accepted now and at the time those issues are presented at the meeting.]

G. RESPONSE BY CITY MANAGER AND STAFF

H. CONSENT AGENDA

1. Minutes

- a. January 7, 2019 Workshop Minutes **PAGE 18**
- b. January 28, 2019 Special Council Meeting **PAGE 24**

2. Award of Bid - Commercial Solid Waste disposal..... **PAGE 42**

Award of bid from Waste Connections for solid commercial waste disposal at the Heart of Florida landfill at a cost of \$29.00 per ton with an annual CPI.

Attachment: Memo dated 2/22/19 from Public Works Director w/attachments

3. POD Agreement – Fire Department **PAGE 59**

Consideration of proposed agreement from the Hernando County Health Department.

Attachment: Memo dated 3/4/19 from Fire Chief w/attachments

4. Utility Service Agreement – Humane Society **PAGE 64**

Consideration of Humane Society of Nature Coast, 7224 Mobley Road, request for sewer service from the City by connecting to the City’s 12-inch force main.

Attachment: Memo dated 2/12/19 from Director of Public Works w/attachments

5. Certificate of Public Convenience and Necessity (COPCN)..... **PAGE 80**

Renewal of a Certificate of Public Convenience and Necessity (COPCN) for Worldwide Aircraft Services d/b/a Jet ICU.

Attachment: Memo dated 3/4/19 from Fire Chief w/attachments

6. Budget Amendment – Phase II – Fire Assessment Methodology (from 2/25/19 meeting) **PAGE 82**

Approval of Budget Amendment to increase line item 143-014-522-53400 and decrease fund 143 reserves by \$37,000.

Attachment: Memo dated 2/26/19 from Finance Director w/attachments

I. DISCUSSION OF CONSENT AGENDA ITEMS (IF ANY)

J. PUBLIC HEARING

1. Ordinance No. 899 - Pet Waste Collection and Disposal (First Reading 2/4/19)U **PAGE 88**

Approval of Second and Final Reading [Advertised in Tampa Bay Times 2/22/19]

Presentation: City Planner
Recommendation: Approval of Second and Final Reading of Ordinance No. 899 upon roll call vote
Attachments: Memo dated 3/4/19 from City Planner w/attachments

K. REGULAR AGENDA

1. **First Reading – Ordinance No. 900 Flagstone PAGE 94**
Voluntary Annexation

Consideration of First Reading of Voluntary Annexation of 1.55 acres situated on the east side of Cobb Road, approximately 1,480 feet north of West Fort Dade Ave.

Presentation: City Planner
Recommendation: Approval of First Reading of Ordinance No. 900 upon roll call vote and schedule Second and Final Reading for March 18, 2019
Attachments: Memo dated 3/4/19 from City Planner w/ attachments

2. **First Reading - Ordinance No. 901– Commercial Vehicle ParkingPAGE 114**

Consideration of First Reading of Ordinance to address parking of tractor-trailers and semi-trailers in City limits.

Presentation: City Attorney
Recommendation: Approval of First Reading of Ordinance No. 901 upon roll call vote and schedule Second and Final Reading for March 18, 2019
Attachments: Memo dated 2/21/19 from City Attorney w/attachment

3. **First Reading - Ordinance No. 902 – Proposed amendments to code enforcement ordinances/citationsPAGE 118**

Consideration of First Reading of Ordinance to clarify alternate method for existing citation provisions.

Presentation: City Attorney
Recommendation: Approval of First Reading of Ordinance No. 902 upon roll call vote and schedule Second and Final Reading for March 18, 2019
Attachments: Memo dated 2/15/19 from City Attorney w/attachment

4. **Resolution No. 2019-03– Adoption of fees PAGE 129**

Consideration to approve comprehensive fee resolution as updated by City Departments.

Presentation: City Clerk
Recommendation: Approval of Resolution upon roll call vote
Attachments: Memo dated 3/4/19 from City Clerk w/attachments

5. **Resolution No. 2019-04 – Temporary Street Closure Policy PAGE 164**

Consideration to approve policy and resolution

Presentation: Deputy City Clerk
Recommendation: Approval of policy and resolution upon roll call vote
Attachments: Memo dated 2/14/19 from Deputy City Clerk w/attachments

6. **ALS Interlocal Agreement..... PAGE 178**

Consideration of proposed Interlocal Agreement for Advanced Life Support.

Presentation: Fire Chief
Recommendation: Approval
Attachments: Memo dated 3/4/19 from Fire Chief w/attachment

7. **Southern Hills Booster Station Pump – Potential Request for Time Extension PAGE 188**

Consideration of potential request by Developer for time extension.

Presentation: Public Works Director
Recommendation: Approval
Attachments: Memo dated 2/21/19 from Public Works director w/attachments

8. **Peter Strong – GRS – Revisions to Engagement Letter PAGE 192**

Consideration of engagement letter as updated after discussions at February 4, 2019 meeting.

Presentation: City Manager
Recommendation: Authorize Mayor to execute engagement letter and Contract Addendum
Attachments: Engagement letter dated 2/22/19 and Contract addendum

9. **PDCS contract (tabled from 2/4/19 meeting)**

Due to unavailability, contractor has requested this item be tabled until April, 2019.

Attachment: None

L. CITIZEN INPUT

N. RESPONSE BY CITY MANAGER AND STAFF

N. ITEMS BY CITY ATTORNEY

1. **Face book – Discussion of Existing Accounts**

Attachment: None

O. ITEMS BY CITY MANAGER

1. **Internet Policy Revision Update and discussion of PAGE 200 potential Special Meeting or Workshop in April**

Attachment: Memo dated 2/22/19
From Deputy City Clerk
w/attachment

2. **City Manager Suggested Guidelines for the Provision of Information to Council**

Attachment: None

P. STAFF UPDATES (IF ANY)

Q. ITEMS BY COUNCIL

R. ADJOURNMENT

CORRESPONDENCE TO NOTE

1. Notice of FDOT Public Hearing to be held on March 14, 2019 on GNT Gap Project.
2. Letter dated 1/23/19 from Supervisor of Elections with suggested revisions to existing agreement.
3. Letter of appreciation dated 1/31/19 to James Morris, CEMEX, for continued support of Uptown Art Gallery receptions.
4. Letter of appreciation dated 1/31/19 to Travis Wellman, CEMEX, for continued support of Uptown Art Gallery receptions.
5. Legal Opinion from Vose Law Firm dated 2/4/19 regarding validity of Park Regulations
6. Letter dated 2/6/19 from Division of Retirement regarding PPTF Actuarial Valuations.
7. McKethan Roof Quotes (as mentioned by citizen at 1/28/19 Special Meeting)