

**CITY OF BROOKSVILLE**  
**MINUTES OF THE REGULAR COMMUNITY REDEVELOPMENT BOARD**  
**Joseph E. Johnson III, Council Chambers**  
**201 Howell Ave.**  
**5:00 pm**

**ORDER OF BUSINESS**  
**May 17, 2021**

Present: Chairman Pat Brayton; Vice Chairman Robert Battista; Board Member Blake Bell; Board Member David Bailey; Board Member Betty Erhard

Also Mark Kutney, City Manager; Becky Vose, City Attorney; Jennifer Battista, City  
Attending: Clerk; Lisa Morris, Deputy City Clerk; Chris Anderson, CRA Director; Steve Gouldman, City Planner; Tim Grantham, IT Coordinator

**A. CALL TO ORDER**

Chairman Brayton called the meeting to order at 5:00 p.m.  
Board Member Erhard joined the meeting via telephonic means.

**B. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**

A moment of silence was observed followed by the Pledge of Allegiance.

Motion made by Vice Chairman Robert Battista, seconded by Board Member Blake Bell to allow Board Member Erhard to participate and vote in the meeting via telephonic means.

**Vote: 4 - 0**

**C. APPROVAL/MODIFICATIONS OF THE AGENDA**

Motion made by Vice Chairman Robert Battista, seconded by Board Member Blake Bell to approve the agenda as published.

**Vote: 5 - 0**

**D. CITIZEN INPUT [limited to 3 minutes per speaker]**

**Historical Preservation**

Joann Peck, Brooksville Main Street, offered help as a historic preservation consultant and Ms. Peck discussed a grant application that Brooksville Main Street had submitted.

## **Brooksville Main Street, Special Events Applications and Fountain**

Donna Morin, City resident, noted her lack of confidence in Brooksville Main Street staff and she felt only one event should be listed on one application for special events. She also questioned why the fountain outside City Hall was not working.

### **E. RESPONSE BY CITY MANAGER AND STAFF/CRA BOARD MEMBERS**

No response required.

### **F. REGULAR CRA AGENDA**

#### **1. Signs and Murals Status Report**

City Planner, Steve Gouldman, discussed the Land Development Code (LDC) related to signage. He noted that there were a number of content-based temporary sign and banner regulations that violate the content-neutral requirement as determined by the Supreme Court. He explained that many municipalities updated their codes back in 2015. City Planner Gouldman indicated that the central changes needed were related to the temporary signs. He specified that the City's current LDC regulation of murals is not content-neutral, and the LDC provides that no permit is required for "graphic presentations. He further noted that, per the Code, murals need to be approved by the City Council and feature cultural, civil or historical events containing no commercial advertising material." to not require a permit. Furthermore, he expressed that the changes should treat the murals as individual pieces of art. City Planner Gouldman articulated that, obviously, exempting such displays from obtaining permits and specifying that the graphic presentation contain cultural, cultural, civil or historical events and no advertising is content-based. City Planner Gouldman also relayed that staff had initiated the LDC amendment process and held two community workshops to date. The workshops focused on murals and mobile paintings (mobile murals). As a result of the workshops, staff has removed murals from the sign ordinance and created a "Part" in the LDC that addresses only those two items.

City Planner Gouldman elaborated on proposing that mobile murals need a permit for installation. He specified that there would not be a fee associated with a mobile mural permit. He expressed that it was to ensure safety measures were met. Furthermore, he also acknowledged that work needed to be done with the pole banners verbiage to ensure it is not content-based and that it is even-handed. He expounded that ordinances could be crafted that are focused on construction materials, size, lighting, moving parts, and placement. He noted that staff anticipated a few more workshops related to drafting the amendments.

Board Member Bell asked how banners across the roads to honor or welcome home veterans, for example, would be handled going forward. City Planner Gouldman stated that it would be best if the City-owned the banners and could decide where to place them and requested City Attorney Vose's input. City Attorney Vose expressed that these types of banners owned by the City could be placed on poles owned by the City. City Planner Gouldman also indicated that the City could also place signs in the right-of-way.

Board Member Bell asked if the City was working with a non-profit, and how the

structure of the agreement would work. City Attorney Vose clarified that it would have to be an agreement with the City and the fees would have to be set. City Attorney Vose stated that it would have to be a City project. Chairman Brayton elaborated that the items could be purchased by an organization and given to the City to have displayed. The City would take ownership of the items. City Planner Gouldman explained that the City would have to be careful because any business could offer up banners to the City for such honors but also include advertisements for the business.

Vice Chairman Battista pointed out that this item was moved from the City Council Agenda and placed on the CRA as it was proper because it involves CRA issues. The issue was brought to the City via Brooksville Main Street. He noted that if the CRA Board is ready for staff to proceed with a proposed ordinance then it needs to be brought to City Council. Because this is a City sign code ordinance, it should be heard by the City Council. He suggested that the Board direct staff make the presentation to the City Council of the ordinance with the suggested changes. Chairman Brayton discussed the potential of the Ordinance being presented to the CRA Board first and then presented to the City Council.

Vice Chair Battista noted that the ordinance would be for a City-wide application, not just in the CRA district as it is not just banners in the CRA or in the Main Street area. City Planner Gouldman confirmed that it is the intent of staff, to bring to Council. He stated that since it applied to CRA, staff felt it was important to bring it before the CRA board for review, input, and direction from the CRA Board. City Planner Gouldman clarified that the whole amendment process would have to be conducted, which includes bringing the item before the Planning and Zoning Commission, and then two hearings before City Council. He relayed that it was brought before the CRA Board to determine if there were any objections to content before bringing it to Planning and Zoning Commission and City Council for hearing.

Chairman Brayton noted he would entertain a motion to authorize staff to prepare an ordinance and present it to the Planning and Zoning Commission and City Council.

Motion made by Board Member Blake Bell, seconded by Vice Chairman Robert Battista to authorize staff to prepare an ordinance and present it to the Planning and Zoning Commission and then to City Council.

**Vote:** 5 - 0

2. **CRA to discuss modifying LDC to implement a Historic Architectural Review Preservation Board (HARPB)**

Vice Chairman Battista discussed that historical preservation is not just confined to the CRA district. He expressed that it covers the entire city with the most historical building within the City being residential along with a few commercial buildings that are not within the confines of the CRA district.

Chairman Brayton concurred with the Vice Chairman.

Chairman Brayton and Vice Chairman Battista inquired as to why the item was being brought before the CRA Board instead of City Council. Vice Chair Battista noted that if this was something that was to be considered it would be a City ordinance that would be passed, not a CRA item, because the CRA does not pass ordinances. He maintained that he believed the CRA Board did not have the authority to set up or authorize the creation of a board. Vice Chair Battista also asserted that he was not in favor of enacting regulation that is not necessary or that could interfere with private property rights. He further articulated that he has not received any communications requesting a need for such a Board. He specified that Historic Hernando Preservation Society puts on events that showcase the historical homes as well as relays historical information. Vice Chairman Battista articulated that the Historic Hernando Preservation Society (HHPS) has been around for many years, holds meetings in the City Council Chambers, and has guest speakers.

CRA Director Anderson confirmed that he has had no requests from such a Board. CRA Director Anderson advised it was brought to the CRA Board for their input and direction, and specifically to inform the Board of what staff is proposing with the new historical district to strengthen what the City currently has and that it is only a guideline if it should go forward. Mayor Brayton suggested that the item be brought before City Council, and City Manager Kutney agreed that it would be a City ordinance and should be heard by City Council. City Manager Kutney noted that he wanted the CRA Board to hear the item and to give their position on the item, or determine if they would rather the item be heard by City Council. Chairman Brayton expressed that the CRA, as the Vice Mayor had conveyed, cannot make any decisions in the form of ordinances.

Vice Chair Battista explained that the item would come before the City Council who would then decide if a Board should be created and approve an ordinance reflecting that decision, should Council so desire. Board Member Bell asked if there was a requirement for a City Board to be put in place to receive any types of grants that the City is not currently receiving. CRA Director Anderson confirmed that a Board needs to be in place to receive grants as it related to the historical preservation board or a historical architecture review preservation board.

Vice Chairman Battista asked about how many grants were believed to be available and the chances of receiving an award from those grants. He relayed that in his experience there was not funding for these types of grants. CRA Director Anderson imparted that it is not the staff's intent to establish the board to obtain grants, but the purpose was a guideline to create an advisory board. He spelled out if the CRA Board wanted to move forward with creating a Board there were different routes that could be utilized.

Board Member Bell pointed out that creating another seven-member board when the City already has difficulty staffing the current volunteer Advisory Boards would be difficult, to fill. Chairman Brayton agreed, adding that especially when there are certain specialized skills that are being sought for a board. Vice Chair Battista agreed that the day-to-day mission of the board was not to seek grants but to review permit applications for historical buildings to ensure that architectural values are maintained and not compromised.

CRA Director Anderson suggested giving a certificate of appropriateness after reviewing the criterion which would be adopted. He expressed that a guideline would help a developer or owner to stay within the desired architectural value versus strict adherence to criteria. CRA Director Anderson noted that adherence to the guidelines would be voluntary. Chairman Brayton asked if it is voluntary, what is the point of having the board. He expressed that his opinion is if staff wanted to present the item to City Council that the CRA Board would not object. He stated that his personal opinion was he was unsure if anything would be accomplished by establishing the board.

CRA Director disclosed that there was already a historical designation in the City Ordinance and this was to help that move along and guide it as the Board sees fit. City Manager Kutney added that depending upon future Council action related to a code, this could be a situation that a code would drive the CRA Plan. There could be amendments in the future that could impact the CRA plan as a result of a code amendment. He noted future amendments that are being developed to work into the CRA plan.

Vice Chair Battista recalled there was nothing in the CRA mission to maintain the historical character, rather it is to solve a blight issue in a particular area. He noted that there were 50/50 facade match grants given out to improve properties. Vice Chair Battista indicated that he would like to discuss raising the amount of the matching grant from \$10,000 to a \$20,000 matching grant. CRA Director Anderson confirmed that forty-two 50/50 match grants had been given out already. Vice Chairman Battista noted that the grants were under the purview of the CRA Board. He went on to say that most of the people who received the CRA grants maintained the historical nature of the building while rehabbing the building. He declared that he did not see a need for a Historical Preservation Board and reiterated being very cautious when it comes to private property rights. He noted that the Historic Hernando Preservation Society (HHPS) came to see his home, look at how it was made, and maintained and that they keep an eye on these types of things and people who care belong to the society.

CRA Director Anderson communicated that if the City enacted something such as what is presented it involves not only the structure but also the environment including the streetscape and landscape. It involves more than just the facade of a building.

## G. **CITIZEN INPUT**

### **Historic Hernando Preservation Society and Benefits of Historical Preservation**

Joann Peck, Board Member of the Historic Hernando Preservation Society (HHPS), transmitted it had no "teeth" to enforce historical preservation or to prevent the demolishing of historical buildings. She spoke about a County Historical Board that has been created, however it has not been set or seated with members. She spoke about benefits for homeowners who maintain a historic home such as a tax freeze and federal tax credits. She added that the Federal Tax Credit is something that can be leveraged against building rehab, and secure investors who will receive tax credits. She conveyed that if the City could get a Nationally Registered Historic District, homeowners will be eligible for those tax credits. She noted that if the board is established then the City becomes a "certified local

government" and then the City has access to funds that are only available to certified local governments.

H. **RESPONSE BY CITY MANAGER AND STAFF/CRA Board Members**  
No response required.

I. **ITEMS BY CITY ATTORNEY**  
No comments.


J. **ITEMS BY CITY MANAGER**  
No comments.

K. **ITEMS BY CRA BOARD MEMBERS**  
No comments.

L. **ADJOURNMENT**  
The meeting was adjourned at 5:45 p.m.

Motion made by Vice Chairman Robert Battista, seconded by Board Member Blake Bell

**Vote: 5 - 0**

  
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Lisa Morris, CMC, Deputy City Clerk

Attest:   
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Pat Brayton, CRA Chairman

Approved: September 7, 2021

