

MINUTES OF THE HOWEY IN THE HILLS TOWN COUNCIL MEETING
HELD AUGUST 14, 2017

Mayor Sears called the Town Council Meeting of August 14, 2017 to order at 6:00 p.m.

Cub-Boy Scout Troop 245 led the Pledge of Allegiance to the Flag.

Public Services Director Ernest led the Invocation.

Present: Mayor Sears, Mayor Pro-Tem David Nebel, Councilor Scott, Councilor Mabry and Councilor Conroy.

Also Present: Chief Thomas, Library Director Hall, Interim Town Clerk Burke, Public Services Director Ernest, Town Attorney Ramos and Town Planner Harowski.

CONSENT AGENDA

Minutes of the July 24, 2017 Town Council Meeting.

Mayor Pro-Tem David Nebel, seconded by Councilor Scott, moved to approve the Consent Agenda as presented. Motion carried 5-0 with a roll call vote.

PUBLIC HEARING

Second Reading and adoption of ORDINANCE NO. 2017-002. AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE LAND DEVELOPMENT CODE BY ADDING A NEW SUB-SECTION "HISTORIC AND ARCHEOLOGICAL PROPERTY OVERLAY" TO SECTION 2.03 ESTABLISHMENT AND PURPOSE OF OVERLAY DISTRICTS; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Town Attorney Ramos read by title Ordinance 2017-002.

Mayor Pro-Tem David Nebel, seconded by Councilor Scott moved to approve the second reading and adoption of ORDINANCE NO. 2017-002. AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE LAND DEVELOPMENT CODE BY ADDING A NEW SUB-SECTION "HISTORIC AND ARCHEOLOGICAL PROPERTY OVERLAY" TO SECTION 2.03 ESTABLISHMENT AND PURPOSE OF OVERLAY DISTRICTS; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. Motion carried 5-0 with a roll call vote

NEW BUSINESS

First Reading of ORDINANCE NO. 2017-003 AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA; GRANTING TO DUKE ENERGY FLORIDA, LLC, A FLORIDA LIMITED LIABILITY COMPANY D/B/A DUKE ENERGY, A NON-EXCLUSIVE ELECTRIC UTILITY FRANCHISE; PRESCRIBING THE TERMS AND CONDITIONS RELATED TO THE OCCUPANCY OF MUNICIPAL STREETS AND RIGHTS-OF-WAY IN THE TOWN OF HOWEY IN THE HILLS FLORIDA, FOR THE PURPOSE OF PROVIDING ELECTRIC SERVICE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Town Attorney Ramos read by title Ordinance 2017-003.

Town Attorney Ramos said that Duke Energy's Attorney would like a revision made to page seven section E pertaining to audits. They would like it to say that the Town can only audit the company's books not more than every five year for the next three years proceeding.

Mayor Pro-Tem David Nebel, seconded by Councilor Mabry, moved to approve the first reading of ORDINANCE NO. 2017-003 AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA; GRANTING TO DUKE ENERGY FLORIDA, LLC, A FLORIDA LIMITED LIABILITY COMPANY D/B/A DUKE ENERGY, A NON-EXCLUSIVE ELECTRIC UTILITY FRANCHISE; PRESCRIBING THE TERMS AND CONDITIONS RELATED TO THE OCCUPANCY OF MUNICIPAL STREETS AND RIGHTS-OF-WAY IN THE TOWN OF HOWEY IN THE HILLS, FLORIDA, FOR THE PURPOSE OF PROVIDING ELECTRIC SERVICE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. Motion carried 5-0 with a roll call vote.

Discussion: Water Pressure Issues on Laurel Ave

Barbara Anderson & Sherry Hallgren, Laurel Ave Residents, said it's a little more than just a pressure issue. There is also rust in the pipes and the air pressure is horrible. They gave multiple examples of how the problem has affected their street and Magnolia Avenue. They asked that the pipes be inspected and that the Town Council come up with a plan to reduce the air pressure.

Councilor Conroy said he lives on the end of Laurel Ave and he has little to no sediment in his toilets.

Mayor Sears asked what the age of the homes were that the two lady's resided in. They replied that they were old. **Barbara Anderson** said that the plumbing in her entire house is brand new. **Mayor Sears** replied that he would sit with staff and start working on a solution. He also encouraged everyone to call Town Hall every time there was an incident so that the Town could better assess what exactly is causing the problem.

Mayor Sears encouraged all Residents to sign up for the email notification regarding Town business.

David Kilmartin, 128 E Laurel Ave, said that he doesn't have problems at his house regarding water issues. He said he suggest that the Town flush the Hydrants.

Discussion: Budget Item

a. Christmas Tree

- 1. \$5,275.00 (Five Year Agreement)**
- 2. \$5,495.00 (Three Year Agreement)**

Mayor Sears said that Councilor Scott asked for this item to be on the Agenda.

Councilor Scott said that there was already a Christmas Festival Meeting and people at the meeting liked the idea of the Christmas tree.

Mayor Sears said that the only account the money would come from would be contingency.

Councilor Conroy said that there is so many other things that the Town could use that money for.

Mayor Pro-Tem David Nebel asked if Parks and Recreation's flag pole was approved. **Mayor Sears** replied yes. **Mayor Pro-Tem David Nebel** said that the Town could use the flag pole as a Christmas tree.

Councilor Conroy said it's a want not a need. **Councilor Mabry** said that he agrees

Mayor Pro-Tem David Nebel said that the Christmas tree could wait until next year.

Status of Professional Continuing Service Contract

a. Legal- Gray Robinson

b. Engineering

1. Booth, Ern, Straughan and Hoitt

2. Griffey Engineering

c. Town Planning- TMH Consulting

d. Building Services- Progressive Inspections

e. Utilities - Utility Repair Experts

Mayor Sears said he wanted to put this item on the Agenda to see if the Town Council wanted to renew the Town's current service contracts.

Councilor Conroy said that if the Mayor Sears had an issue he would think that the Mayor would have brought it before the Town Council. **Mayor Sears** said that there are issues from time to time but nothing of significance.

Mayor Pro-Tem David Nebel said that unless there's a pressing issue why the Town should not renew a contract then why re-invent the wheel.

All Town Council Members agreed to renew all professional service contracts.

Discussion: Regarding Sheds

Mayor Sears said that sheds over 144 square feet must match the home but under 144 square feet there is no specification for how the shed looks. He said that he believes all sheds no matter the size should have to match the residence. For example: the finish of the house, the shingles, and siding. He added that a consequence with doing this is that it doesn't allow people to go to department stores and buy sheds.

Councilor Conroy asked how the Town would go back and fix what current sheds are existing. **Mayor Pro-Tem David Nebel** said that you can't because they were permitted under the existing code.

Mayor Pro-Tem David Nebel said he agrees that the sheds would look better if they matched the residence. He also doesn't agree with the setback requirements.

Mayor Sears said that we have a one size fits all Ordinance and Howey isn't platted for a one size fits all.

Mayor Sears said that the discussion tonight is to get everyone thinking about sheds. He is will ask Town Planner Harowski to write a memorandum regarding sheds. The memorandum would go before the Planning and Zoning Board and see what recommendations they have for the Town Council.

Councilor Scott said that he agrees with the sheds being the same color as the residence but having the same finishes is a little too much. **Mayor Sears** said that there are ways to make it not as complicated.

Chief Thomas asked that when reviewing sheds could the Town Council look at the little plastic tool sheds. He said that residents pay one hundred dollars for the shed and then have to pay almost two hundred for a permit. **Ron Frank Von Frankenstein, Building Official**, asked that the Town Council look into setting a minimum requirement for a shed to alleviate that problem.

Discussion: Police Station/Fire Station Program Development

Mayor Sears said he met with the Lake County Fire Chief and Public Safety Director about a week ago. He said that they were interested in partnering with the Town to build a combined Police and Fire Department. They are looking to replace the Yalaha Fire Station in about four years. He said that four years is good timing for the Town as the new Police Department will be funded by police impact fees. **Mayor Sears** said that he asked Town Planner Harowski to put together a memorandum.

Councilor Scott asked Town Planner Harowski if the grant funding he looked up was just for Police Departments or for Emergency Operation Centers. **Town Planner Harowski** replied that he looked for combined Police and Fire Departments.

Town Planner Harowski said that the initial discussion at the Town Council focused on three potential sites for a replacement Police Department. These sites included the current Police Department location, the two-acre public parcel reserved in the Venezia South Development, and the approximately nine-acre site located on Number Two Road at Mare Avenue. The minimum size needs outlined above likely excludes the current police station site. The Venezia site might be considered depending on the specific design for the property. The City of Debary recently opened a facility which includes a 3-bay fire station, and Sheriff's substation, parking and storm water on a site that is just under two acres. This site does not use a combined building, but both facilities are on the parcel. Experience suggests that the Venezia site should remain in consideration. The Number Two Road site will meet the minimum site needs even after deductions for wetlands, right-of-way dedication on Number Two Road and right-of-way dedication on Mare Avenue. There are, however, other site options that might be considered. One site option is the Lake Hills development at SR 19 and CR 48. The project has an approved development plan which includes a 19-acre institutional site located at the northwest corner of the project. The Village Mixed Use land use classification requires multiple types of land use be included in a project and institutional use could be one of these.

Other VMU projects including The Reserve and Mission Rise could be additional site options. Before settling on the Number Two Road site, it might be prudent to examine these VMU projects to determine if there are options that exist within these projects.

Mayor Sears said the next step is to further investigate the possibilities.

OLD BUSINESS

MAYOR AND COUNCIL COMMENTS

Mayor Sears said there is a pre-bid meeting for the Downtown Sewer and Lift Station Project and Water Treatment Plant Upgrades on August 15, 2017.

Councilor Conroy-No Comment

Councilor Mabry-No Comment

Councilor Scott asked when Duke Energy would be replacing the existing lights with Light Emitting Diode (LED). **Public Services Director Ernest** said that they would be replaced in the third or fourth quarter. **Mayor Sears** said that he talked to Jerry Miller about updating the light poles to Sanibel light poles and informed him that the Town is not comfortable with signing an agreement that the Town doesn't know how much the aid of construction cost would be. **Mayor Pro-Tem David Nebel** said that Sanibel light poles are ugly.

Mayor Pro-Tem David Nebel-No Comment

PUBLIC COMMENTS

Martha Macfarlane, 210 E Cypress said that she agrees with not purchasing the Christmas tree. She also said that as a reminder to the Town Council the Christmas Festival would be December 8 and 9, 2017.

Jenny Deschenes, 207 E Orchid said that the Get to know your Town...Again event would be held on Saturday, September 16, 2017.

John Rhodes, Clermont, asked if there was any way he could offer some input in regards to the Building Services to make the building process more efficient. **Mayor Sears** asked if he would send an email or document with his input.

Greg Taffell, Revels Road, said that he bought the rights to the Howey Tribune and is working on getting the paper back up.

The meeting was adjourned at 7:25 p.m.

ATTEST:

Chris Sears, Mayor

Dairian Burke
Interim Town Clerk