

**MINUTES OF THE HOWEY-IN-THE-HILLS TOWN COUNCIL MEETING
HELD JANUARY 9, 2017**

Mayor Sears called the Town Council Meeting of January 9, 2017 to order at 5:30 p.m.

Boy Scout and Cub Scout Troop No. 254 led the pledge of Allegiance to the Flag.

Public Services Supervisor Ernest led the Invocation.

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

Absent: Councilor Mabry, excused

Also Present: Town Planner Harowski, Police Chief Thomas, Public Services Supervisor Ernest and Administrative Assistant II Burke

CONSENT AGENDA

Minutes of the December 12, 2016 Town Council Meeting

Mayor Pro-Tem David Nebel, seconded by Councilor Scott, moved to approve the Consent Agenda as corrected. Motion carried 4-0

PUBLIC HEARING

Second Reading and Adoption of Ordinance No. 2016-008, AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA PERTAINING TO TREE PROTECTION; AMENDING THE LAND DEVELOPMENT CODE BY AMENDING THE DEFINITIONS OF "HISTORIC TREES" AND SPECIMEN TREES IN SECTION 1.12.00 OF CHAPTER 1; AMENDING SECTIONS 7.11.00, 7.12.00, AND 7.13.00 OF CHAPTER 7 TO PROVIDE CLARIFICATION REGARDING THE TYPES OF PROTECTED TREES, CLARIFY WHEN A TREE REMOVAL PERMIT IS REQUIRED, PROVIDE FOR AND SPECIFY WHEN MITIGATION FOR REMOVING TREES IS REQUIRED, PROVIDE FOR AN APPEAL PROCESS WHEN A TREE REMOVAL PERMIT IS DENIED OR MITIGATION IS REQUIRED, AND SPECIFY STANDARDS FOR TREE TRIMMING AND CUTTING; RENUMBERING SECTIONS 7.14.00 AND 7.15.00 OF CHAPTER 7; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

Mayor Sears read by title only, Ordinance No. 2016-008

The Public Hearing was opened.

Mayor Pro-Tem David Nebel agreed that the Planning & Zoning Board should review any appeal and make a recommendation before the appeal is presented to the Town Council. He also believes that any future discussions that involve the Planning & Zoning

Board should be presented to the Board prior to the Town Councils first or second reading. **Mayor Sears** agreed.

Councilor Scott said that his only concern is with how long the approval process may take for a resident to remove a tree. **Mayor Sears** replied that Public Services Supervisor or his designee would assess the tree and if it met the criteria he would approve the permit. If it was not approved, the resident would have to make an appeal to the Planning & Zoning Board and then the Town Council.

Town Planner Harowski replied that the verbiage in Ordinance No. 2016-008, Section 7.12.05 Appeals, would be changed to any property owner who wishes to contest a decision to deny a tree removal permit or to require mitigation as specified in Section 7.12.04 may appeal the staff decision to the Town Council. Appeals must be filled within sixty (60) days of the staff decision. Appeals shall be presented to the Planning & Zoning Board for a recommendation to the Town Council, in hearing the appeal the Planning & Zoning Board and the Town Council shall apply the same standards governing tree removal permits as set forth in Section 7.12.01 B and the mitigation standards as set forth in Section 7.12.04.

Mayor Sears asked Public Services Supervisor Ernest if he was in agreement with Ordinance No. 2016-008 and the clarification for his staff and also the residents. **Public Services Supervisor Ernest** replied that Mayor Pro-Tem David Nebel and Town Planner Harowski did an excellent job.

Sal Gallelli, 1104 N Tangerine, expressed his concern with Ordinance No. 2016-008.

The Public Hearing was closed.

Mayor Pro-Tem David Nebel, seconded by Councilor Scott moved to approve the Second Reading and Adoption of Ordinance No. 2016-008, AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA PERTAINING TO TREE PROTECTION; AMENDING THE LAND DEVELOPMENT CODE BY AMENDING THE DEFINITIONS OF "HISTORIC TREES" AND SPECIMEN TREES IN SECTION 1.12.00 OF CHAPTER 1; AMENDING SECTIONS 7.11.00, 7.12.00, AND 7.13.00 OF CHAPTER 7 TO PROVIDE CLARIFICATION REGARDING THE TYPES OF PROTECTED TREES, CLARIFY WHEN A TREE REMOVAL PERMIT IS REQUIRED, PROVIDE FOR AND SPECIFY WHEN MITIGATION FOR REMOVING TREES IS REQUIRED, PROVIDE FOR AN APPEAL PROCESS WHEN A TREE REMOVAL PERMIT IS DENIED OR MITIGATION IS REQUIRED, AND SPECIFY STANDARDS FOR TREE TRIMMING AND CUTTING; RENUMBERING SECTIONS 7.14.00 AND 7.15.00 OF CHAPTER 7; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. Motion carried 4-0

Planning & Zoning Minutes of December 15, 2016

Tree Trimming-Tree Removal Field Inspection Report

FAQ

Mayor Sears said he would like to add photos to the FAQ. For example, what is hat racking and having a visual next to the description.

Councilor Scott asked if Public Services Supervisor Ernest will have a document showing residents how much of a percentage of the tree may be trimmed. **Public Services Supervisor Ernest** replied that he had a document from the University of Florida that would explain the percentage to the residents.

Mayor Sears asked if there will be a fee for the inspection. **Public Services Supervisor Ernest** replied that it is more of a courtesy and **Mayor Sears** agreed. **Town Planner Harowski** said that if a permit was required that is when a fee would be assessed.

Mayor Sears said that there needs to be a link on the Town Website for the Tree Removal Application and FAQ.

Mayor Sears said anything related to trees is handled by Public Services Supervisor Ernest.

Councilor Scott asked if the Town Council should consider a document that the resident and or contractor must sign stating that they are aware of the rules and regulations as explained by Public Services Supervisor Ernest. **Mayor Sears** asked if Public Services Supervisor Ernest would add that to the inspection sheet.

NEW BUSINESS

Town Updates (Councilor Scott)

Status of Water Plant

Mayor Sears replied that Well 3 was completed.

Public Services Supervisor Ernest said that he is waiting on dollar figures from engineering to present to the Town Council.

Mayor Sears said that by the second meeting of January the figures will be available and the Town Council can vote on the approvals that need to happen at the Water Plant.

Councilor Conroy said he believes that the Town should do a new rate study in conjunction with a three-five year planning cycle. **Mayor Sears** agreed.

Status of New Police Department Vehicles

Chief Thomas said the new Police Vehicles are in but are still in the process of installing radios and striping. He is hoping to have them on the road by the end of January.

Councilor Scott said that this past weekend we lost a Police Vehicle due to a wreck and wanted to know everyone's thoughts on replacing that vehicle. **Councilor Conroy** said that the department head should have a recommendation. **Mayor Sears** said all Police Officers

have a car and are safe. He added that since the event was so recent, Chief Thomas and he have not had time to discuss all options.

Status of Administrative Assistant II Burke's Certified Municipal Clerk

Mayor Sears said that Administrative Assistant II Burke has signed up to become a member of the required programs but that the average time to complete the required courses for a Municipal Clerk Certification was about three years. **Administrative Assistant II Burke** added that there are sixty (60) educational points and fifty (50) experience points she must obtain, plus be an IIMC Member for a minimum of two years. **Mayor Sears** said that one of his goals is to get Administrative Assistant II Burke certified.

Request for Meeting Start Time to 6:00 p.m.

Mayor Sears said that there is a Council Resolution that states the Town Council Meetings start at 6:00 p.m. He added that if the Town Council would like to change that start time to 5:30 p.m. that is fine but the meeting should start at 6:00 p.m. He explained that in the past they had the second meeting of the month at 5:45 p.m. to have Council discussion.

Councilor Scott said that during his campaigning one of the concerns from the residents is how early the Town Council Meeting's start.

OLD BUSINESS - None

MAYOR AND COUNCIL COMMENTS

Councilor Scott said that his main concerns were addressed during the meeting. He also wanted to make sure Councilor Conroy accepted his liaison position and offered his help if it was too much for Councilor Conroy.

Mayor Pro-Tem David Nebel said that he would like to address the tree that fell on the boardwalk and asked Public Services Supervisor Ernest to give the Town Council an update. **Public Services Supervisor Ernest** said that it was actually three trees that fell onto the boardwalk and that it was minimal damage.

Councilor Conroy asked if he was still the MPO for the Town. **Mayor Sears** replied yes.

PUBLIC COMMENTS

Sal Gallelli, 1104 N Tangerine, asked if the Town would consider getting a core drill to inspect tree trunks or limbs to indicate if they are hollow. **Public Services Supervisor Ernest** said he would do that on Town property but would not on private property. He added that he would gladly call an arborist. Currently the Town has an arborist that will come out and assess any tree at no cost.

Marie Gallelli, 1104 N Tangerine, asked when would the Town Council be discussing the proposal for the wall at Blevins Park. **Mayor Sears** replied that it would be on the upcoming Agenda for the second meeting of January. **Councilor Conroy** encouraged Marie Gallelli to go to the Parks & Recreation Advisory Board meeting to discuss the wall with the Board.

Councilor Scott added that he would like to get the sound system inspected and working correctly. **Mayor Sears** agreed and said that he would ask Town Hall Staff to get some quotes to present to the Town Council.

The meeting adjourned at 7:00 p.m.

Chris Sears, Mayor

ATTEST:

Dairian Burke,
Administrative Assistant II