

**MINUTES OF THE HOWEY IN THE HILLS TOWN COUNCIL MEETING
HELD JULY 11, 2016**

Mayor Sears called the Town Council Meeting of July 11, 2016 to order.

Cub Scout and Boy Scout Troop #254 led the Pledge of Allegiance to the Flag.

Mayor Sears led the Invocation.

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

Absent: Councilor Conroy, Excused (Commenting via telephone)

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

CONSENT AGENDA

Minutes of the May 23, 2016 Town Council Meeting.

Mayor Pro-Tem David Nebel, seconded by Councilor Kearney, moved to approve the Consent Agenda as corrected. Motion carried 4-0 with a roll call vote.

NEW BUSINESS

Discussion: Preliminary Budget for FY 2016-2017

A. Department Directors Submittal

B. Mayor Sear's Balanced Budget

Mayor Sears gave detailed background on the Preliminary Budget for FY 2016-2017.

Mayor Sears said he gave the Town Employees a 2 percent increase in wages shown in his proposed Budget. He also stated that he kept special events, the Christmas festival, Public Services staffed, and purchased one Police car.

Mayor Sears said that this current Budget year the Town received \$700,382 in ad valorem revenue coming in. He then added that if the mileage rate was left at 9.5117 percent that there would be a 3.85 percent increase in revenues. If the mileage rate was lowered to 9.275 percent there would still be a 1.2 percent increase in revenues.

Councilor Kearney gave credit to Mayor Sears for replenishing the Reserves.

Councilor Kearney said that as long as the mileage rate stays at 9.5117 percent there is no financial flexibility. He recommended changing the mileage rate between 8.5 percent and 8.0 percent, giving the Town 50,000 to 80,000 dollars in an emergency financial situation if having to raise the mileage rate.

Councilor Kearney gave background on his meeting with the Mayor of Webster and expressed his concern with the Town citizens only wanting a 24/7 Police Department. He then added that the Town needs to be more sensible with the Budget and establishing financial flexibility.

Mayor Pro-Tem David Nebel said that Mayor Sears made a good suggestion to changing the mileage rate to 9.275 percent.

Councilor Conroy said that he compliments Mayor Sears for giving the Town Employees a 2 percent increase in wages.

Mayor Sears said that there is flexibility in the Reserves. He also said that the Town Residents expect improvements to the Town and with dropping the mileage rate into the 8 percentile cuts a lot of money out of the Budget and leaves no room for improvements to the Town. He understands what Councilor Kearney was saying about the Police Department being 43 Percent of the Budget but that he agrees with 24/7 Police protection due to his own personal experience with not having 24/7 police coverage.

Consideration and Approval of Interlocal Agreement with Lake County Relating to Provision of Library Services

Mayor Sears asked Library Director Hall if this agreement was a bi annual occurrence. **Library Director** Hall replied yes and said the Library had a 9.4 percent increase in their stats allowing them to receive more money from the county.

Appointment of Elected Official as the Parks & Recreation Advisory Board Liaison

Mayor Sears gives background on the request from the Parks and Recreation for a Parks and Recreation Liaison.

Mayor Pro-Tem David Nebel said that in the past every department had a liaison and if the Town Council votes for a liaison for Parks and Recreation that they should appoint a liaison for every department.

Mayor Sears replied that he would look into doing so.

Town Clerk Brasher said she had received an email from Councilor Kearney stating that he would like to be appointed as the Parks and Recreation Liaison.

Councilor Mabry, seconded by Mayor Pro-Tem David Nebel moved to approve Councilor Kearney as the Parks & Recreation Advisory Board Liaison.

The Town Council Meeting was closed and the Local Planning Agency was called to order.

LOCAL PLANNING AGENCY PUBLIC HEARING

Comprehensive Plan Amendment application from Red Jacket Development Group on behalf of property owner, Bredco Development Group Trustee, to amend the Town's Comprehensive Plan to allow a marina as a permitted use and activity in the Town's conservation land use category, provided certain conditions are met. [Local Planning Agency makes recommendations to Town Council regarding the amendment of the Comprehensive Plan].

Ordinance No. 2016-005, AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE TOWN'S COMPREHENSIVE PLAN BY AMENDING CHAPTER 1, THE FUTURE LAND USE ELEMENT, TO REVISE POLICY 1.1.2 TO ALLOW MARINA FACILITIES AS A RESIDENTIAL AMENITY IN THE CONSERVATION LAND USE CLASSIFICATION PROVIDED CERTAIN CONDITIONS ARE MET; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

Town Attorney Ramos read the Title only, Ordinance No. 2016-005.

Town Planner Harowski gave detailed background on amending the Comprehensive plan.

Town Planner Harowski said that the Planning and Zoning Boards first recommendation was a limited marina. He suggested a cap on the size of the facility based on the size of the project with a suggested 25 percent of the project size. The example given was if there are 100 homes being built in a subdivision the subdivision is allowed 25 boat slips or 25 percent of 100. He said the Planning and Zoning Board's second recommendation is that the building of the Marina be timed with the building of the homes. He then suggested that once a final plat approval had been granted for the subdivision, all the public improvements were in, and the Town had issued a CO for one home; then the construction of the Marina could commence.

Mayor Pro-Tem David Nebel replied that he does not understand why there has not been a single home built in over the past ten (10) years the marina project has been coming back and forth to the Town Council. He then said that other subdivisions are built without amenities and that when you walk into the sales office there is normally a project board of what accommodations are to be built in the future. He also stated that for years the Planning and Zoning Board has been asking Red Jacket why doesn't Whispering Hills buy the Bredco property.

Town Planner Harowski stated that with amending the Comp Plan the Town Council can establish guidelines to which the construction of the Marina has to abide by.

Councilor Kearney said that his concern is that the developer doesn't own the land the Marina is to be built on.

Mayor Sears said that there has been no change in years and that he struggles with the fact that there is a lease agreement and not ownership.

Public Services Supervisor Ernest said that the Marina will be built about 50 feet from the Sara Maude Nature Preserve.

Town Planner Harowski replied that the details of construction have not been discussed yet.

Town Attorney Ramos said that the Marina would be a Conditional Use.

Clay Frankel, representing the Applicant, said that the market doesn't dictate building as of yet. He also said that Whispering Hills is in the process of buying the land from Bredco.

Councilor Conroy asked if Red Jacket had discussed with anybody about the environmental impact of building a certain number of boat slips on Little Lake Harris.

Clay Frankel replied that FDEP approved a 19 boat slip marina. He also added that the original number of 87 boat slips requested was because 21 homes are on the shoreline and are allowed to build a boat slip in the back of their homes.

Mayor Sears asked if Clay Frankel was asking for 19 boat slips or 87. **Clay Frankel** said that the ideal number of boat slips would be 87 so that there was a one to one ratio for inland residents.

Councilor Mabry added that if DEP has issued the permit then that is something to take into consideration.

Councilor Conroy recommended that he believes the ratio should be a two to one ratio for inland homes in the subdivision.

Town Attorney Ramos said that the ratio amount is up to the Town Councils discretion.

The Public Hearing was opened. The Public Hearing was closed as no one wished to speak.

Mayor Pro-Tem David Nebel, seconded by Councilor Kearney moved to adopt Ordinance No. 2016-005, AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE TOWN'S COMPREHENSIVE PLAN BY AMENDING CHAPTER 1, THE FUTURE LAND USE ELEMENT, TO REVISE POLICY 1.1.2 TO ALLOW MARINA FACILITIES AS A RESIDENTIAL AMENITY IN THE CONSERVATION LAND USE CLASSIFICATION PROVIDED CERTAIN CONDITIONS ARE MET; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE to allow 33 percent of the total number of inland lots. Motion failed 2-2 with a roll call vote.

The Local Planning Agency was closed and the Town Council Meeting was brought to order

PUBLIC HEARINGS

Consideration of the application from Red Jacket Development Group on behalf of property owner, Bredco Development Group Trustee, to amend the Town's Comprehensive Plan to allow a marina as a permitted use and activity in the Town's conservation land use category, provided certain conditions are met.

First reading of Ordinance No. 2016-005, AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE TOWN'S COMPREHENSIVE PLAN BY AMENDING CHAPTER 1, THE FUTURE LAND USE ELEMENT, TO REVISE POLICY 1.1.2 TO ALLOW MARINA FACILITIES AS A RESIDENTIAL AMENITY IN THE CONSERVATION LAND USE CLASSIFICATION PROVIDED CERTAIN CONDITIONS ARE MET; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

Town Attorney Ramos read by title only, Ordinance No. 2016-005.

The Public Hearing was opened.

David Kilmartin, 128 E Laurel Ave, voiced his concern about the marina.

John Scott, 503 N Palm Ave, voiced his concern about the property being conservation land.

The Public Hearing was closed.

Councilor Mabry, seconded by Councilor Kearney moved to deny Ordinance No. 2016-005, AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE TOWN'S COMPREHENSIVE PLAN BY AMENDING CHAPTER 1, THE FUTURE LAND USE ELEMENT, TO REVISE POLICY 1.1.2 TO ALLOW MARINA FACILITIES AS A RESIDENTIAL AMENITY IN THE CONSERVATION LAND USE CLASSIFICATION PROVIDED CERTAIN CONDITIONS ARE MET; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. Motion carried 4-0 with a roll call vote.

Councilor Mabry gave explanation for his vote.

Consideration of the application from Red Jacket Development Group on behalf of property owner, Bredco Development Group Trustee to amend the Town's Land Development Code to include a marina as conditional use in the conservation zoning district and to add general and specific conditions that must be met to permit marina facilities as a conditional use.

First reading of Ordinance No. 2016-006, AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE LAND DEVELOPMENT CODE BY AMENDING SUBSECTION B.3. OF SECTION 2.02.12 TO INCLUDE MARINA FACILITIES AS A CONDITIONAL USE IN THE CONSERVATION ZONING DISTRICT, AND ADDING SECTION 6.02.11 TO SPECIFY THE GENERAL AND SPECIFIC CONDITIONS THAT MUST BE MET TO PERMIT MARINA FACILITIES AS A CONDITIONAL USE; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

No action was taken on this item as Agenda Item No. 5 failed.

Second Reading and Adoption of Ordinance No. 2016-004, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, ADOPTED

PURSUANT TO SECTION 125.01(1)(q), FLORIDA STATUTES, CONSENTING TO THE INCLUSION OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, WITHIN THE COUNTY-WIDE MUNICIPAL SERVICE TAXING UNIT FOR THE PROVISION OF AMBULANCE AND EMERGENCY MEDICAL SERVICES, AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR THE TOWN TO BE INCLUDED WITHIN SAID M.S.T.U. FOR A SPECIFIED TERM OF YEARS; PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Ramos read by title only, Ordinance No. 2016-004.

The Public Hearing was opened. No one wished to speak so the public hearing was closed.

Councilor Mabry, seconded by Councilor Kearney moved to adopt Ordinance No. 2016-004, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, ADOPTED PURSUANT TO SECTION 125.01(1)(q), FLORIDA STATUTES, CONSENTING TO THE INCLUSION OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, WITHIN THE COUNTY-WIDE MUNICIPAL SERVICE TAXING UNIT FOR THE PROVISION OF AMBULANCE AND EMERGENCY MEDICAL SERVICES, AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR THE TOWN TO BE INCLUDED WITHIN SAID M.S.T.U. FOR A SPECIFIED TERM OF YEARS; PROVIDING FOR AN EFFECTIVE DATE. Motion carried 4-0 with a roll call vote.

OLD BUSINESS -None

MAYOR AND COUNCIL COMMENTS

Councilor Mabry stated that he was looking forward to the upcoming Budget.

Mayor Pro-Tem David Nebel said he wanted to make it public that he is running for re-election.

Councilor Kearney said he was looking forward to Budget discussion.

Mayor Sears- No Comment

PUBLIC COMMENTS

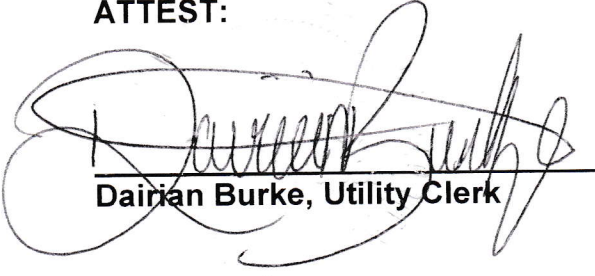
David Kilmartin, 129 E Laurel, asked Mayor Sears the status of the storm water. **Mayor Sears** replied that he was waiting on the report from the Town Engineer.

The meeting adjourned at 7:28 p.m.



Chris Sears, Mayor

ATTEST:



Dairian Burke, Utility Clerk