

MINUTES OF THE HOWEY IN THE HILLS TOWN COUNCIL MEETING  
HELD SEPTEMBER 10, 2018

Mayor Sears called the Town Council Meeting of September 10, 2018 to order at 6:00 p.m. and led the Pledge of Allegiance to the Flag  
Public Service Director led the Invocation

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

**CONSENT AGENDA**

**Minutes of the August 27, 2018 Town Council Meeting.**

**Mayor Pro-Tem Nebel** seconded by **Councilor Conroy** moved to approve the minutes as corrected.  
Motion carried 4-0 with a roll call vote.

**NEW BUSINESS**

**Consideration and Approval to appoint an applicant to fill the vacant Town Council Seat.**

**Mayor Sears** said that the Council responded to the request to fill the seat vacated by Councilor Mabry for the remainder of the term. Asked that the applicants fill out the regular board application. Each applicant will address the Council and audience.

**Mr. McGill** respectfully withdrew his application to allow Ed and Martha, who are running for the seat to proceed.

**Mr. Smith 308 N. Palm Ave.** Resident of the Town since 2002. Confirmed that his Bio was in the packet of meeting materials. Worked for the Town for over 7 years, left in 2017; now runs a landscape business in Town. BS degree in business management/marketing, post bachelorette for the county. Ran/owned 3 different businesses, landscaping is the 4th. Biggest thing is a love for the town. Have been to all but 8 Council meetings since 2008, the best way to keep up with what's going on in the Town and be involved. Also consider it an honor and privilege to run for the seat.

**Ms. MacFarlane 210 E. Cypress Ave.** Resident since 2010. Believes in contributing to this Town, the reason for volunteering on the Christmas Festival Committee since 2012 (minus 2013), been a member of the Parks and Recreation Advisory Board as well as working with the Town on the new website and a Welcome Booklet. BA in music education, retired after 22 years with Visa International, managing teams. Were the first in Visa to implement internet delivery services and understand how to save money and manage a multi-million-dollar budget. Speak Spanish, mostly.

**Mayor Sears** requested a motion.

**Mayor Pro Tem Nebel** suggested a poll of the Councilors.

**Councilor Conroy** said he knew both applicants and their love for the Town. Martha reaches out to the Town through her work on P&R and Festival and she follow-ups up on commitments and would be a good addition to the Council.

**Mayor Pro Tem Nebel** concurred with Councilor Conroy.

**Councilor Scott** said that both applicants are well qualified and have been residents of the Town for many years.

**Mayor Sears** requested a motion

**Public Comment:**

**Janice Conroy 801 N. Lakeshore** stated she knew Martha as a contributor to the Howey Garden & Civic Club working in Communications, as a VP and now as Treasurer of the club. Good skills and attributes to contribute to the Council

*Councilor Conroy seconded by Mayor Pro-Tem David Nebel moved to appoint Martha MacFarlane to the vacant Town Council Seat. (Seat 2). Motion carried 4-0 with a roll call vote.*

#### **Discussion: Wastewater Rate for Bishops Gate.**

**Mayor Sears** read the plan review for Bishops Gate wastewater connection to the Town. Bishops Gate requested a reduced rate because they will be responsible for the Bishops Gate pipe, infrastructure and grinder pumps. Ben and Heather are here to respond to questions.

**Councilor Conroy** said he owns property in Bishops Gate and would not vote but wanted to know the duration of the agreement and what happens if the HOA disappears, are we negotiating a bond or other type of guarantee?

**Mayor Sears** stated that the HOA would be billed, one bill and won't have to track down individual homeowners. Now, under the current management/HOA I feel confident of their ability to pay.

**Councilor Scott** asked if the agreement would be reviewed as years go by.

**Heather Ramos** said that the Town would be bound by the written agreement.

**Councilor Scott** asked if it would be beneficial to add periodic review in the agreement.

**Heather Ramos** affirmed that a periodic review the billing to the HOA vs the residents could be added to the agreement.

**Mayor Pro Tem Nebel** stated that the agreement includes having to flush out the 4-inch force main using Bishop's Gate 2-inch water connection, is that sufficient?

**Mayor Sears** said that Ben confirmed that the 2-inch line is sufficient for the purpose.

**Mayor Pro Tem Nebel** said that he assumed the water to flush would come from their irrigation well

**Councilor Conroy** stated that Bishop's Gate has 2 wells. They pump water for the golf course from the lake and the drinking water comes from a new well that has back-up generators.

**Director Ernest** asked if the HOA would maintain the pumps

**Mayor Sears** said yes, Bishop's Gate would maintain their infrastructure

**Councilor Conroy** if the new development at 48 and 19 is built would it tie into these lines?

**Mayor Sears** said that his understanding is that they would be separate

**Ben Pauluhn** said that he's been part of Bishop's Gate for 8 years, president of the HOA. Confirmed that Bishop's Gate would maintain the infrastructure. Said that there is a benefit to having the single bill but would agree to add that if the HOA does default billing and the rate would change to the agreement.

**Councilor Conroy** asked about the possibility to have a specific reserve

**Ben Pauluhn** said that in regard to the flush valve, our engineer added what Besh required to the documentation

**Mayor Sears** asked if they would go into item 4

**Ben Pauluhn** said that he asked for relief from the 25% non-Town premium because Bishop's Gate would be responsible for all infrastructure up to the 4-inch main, still want the Town to make a margin but would be sending a single bill and it would be a less burdensome system.

**Mayor Sears** restated that this agenda item is for discussion

**Ben Pauluhn** said they would like to complete the agreement as soon as possible and the plan is to come on line the middle of 2019. Bishop's Gate is moving forward, working on an agreement with a contractor and the contract would then go to the dept. of Environmental Protection.

**Councilor Scott** asked if it would be practical to request a deposit

**Mayor Sears** stated that we haven't done it with anyone else.

**Ben Pauluhn** said he would be happy to provide financial assurance. What I'm requesting on behalf of the Bishop's Gate HOA to be considered for an alternative wastewater rate because of the reduction in administration and because the Town will not maintain the infrastructure. I understand that as Howey Residents rates increase the Bishop's Gate rate would increase as well.

**Mayor Sears** asked Heather about defining a policy for the project

**Heather Ramos** said she would expect some sort of study to determine the savings/costs of what the Town would not be handling for Bishop's Gate. We would need something to justify why the rate would not be the same as the Howey residential rate.

**Councilor Conroy** asked Director Ernest about the cost of maintaining a lift station

**Director Ernest** stated that Howey has spent over \$15k over the last 2 years. He asked Ben if the plan includes a flushing line.

**Ben Pauluhn** said yes

**Councilor Scott** asked if item 3, 1000 ft of line would be the Town's.

**Mayor Sears** said Yes

**Mayor Pro Tem Nebel** asked if the only cost to the Town would be the 1000 ft of 4-inch pipe

**Mayor Sears** stated that Bishop's Gate would pay for the installation, the Town would just maintain it after installation/connection. It's reasonable to request the reduced rate.

**Councilor Scott** said that he would want a provision for some sort of protection for the Town

**Mayor Sears** said that he agreed but in 2006 we got into the sewer business. Now we cover our staff and if we have infrastructure issues, we lose money, we have no reserve. Now the water utility that serve all residents is subsidizing the wastewater utility that only serves some of us. The Town needs more wastewater customers. We need a capital reserve to meet needs and continue to grow and be profitable.

**Councilor Conroy** asked for the total number of customers

**Ben Pauluhn** said that at most there would be ERUs 149 plus the club house-10 ERUs

**Councilor Conroy** stated that this project would bring in approx. \$40,000 depending on the rate that's determined

**Mayor Sears** said that it is a worthy project but we need to look at our wastewater system as a whole

### **Consideration and Approval for Professional Services Wetland Monitoring and Reporting Services – Fiscal Year 2018/2019.**

**Mayor Sears** read the proposal for SMW Geosciences services. In the early 2000's we were not always compliant with the CUP. It's wise to move forward to keep SMW Geosciences, Sara Whitaker, to assist us with compliance.

**Councilor MacFarlane** asked for confirmation of the fiscal year dates

**Councilor Conroy** asked if it was a percent increase

**Mayor Pro Tem Nebel** said it was an increase

**Councilor Scott** asked if we put it out for bid

**Mayor Sears** said that we have not put it out for bid because sometimes it best to use those that are imminently qualified.

**Mayor Pro-Tem David Nebel** *seconded by Councilor Scott* *moved to approve Professional Services Wetland Monitoring and Reporting Services – Fiscal Year 2018/2019. Motion carried 4-0 with a roll call vote.*

**Discussion: Status of money from St. John's Water Management Authority, alternate plan if funds aren't received.**

**Mayor Sears** stated that we have \$400k (expires summer of 2019) from the state for the phase 1 of the sewer project and that the total phase 1 cost is 1.2 million dollars. We submitted a request for a \$400k grant from St. John's Water Management Authority (SWMA) last year but didn't receive it so we invited SWMA to the meeting to discuss and help us with submission of a competitive grant request.

**Mark Brandenburg** stated that the grant process starts in January 2019; you'll want to meet with us in Jan/Feb to ensure you provide everything needed for a competitive bid. Sewer projects are desirable.

**Mayor Sears** said that it's a critical project and plans to begin work on the grant within 45-60 days and have it completed in December.

**Mayor Pro Tem Nebel** asked about the timetable stating that by the time the SWMA grant would be available the state funds would be gone.

**Mayor Sears** stated that he would ask for some sort of extension or leeway from the state.

**Mayor Pro Tem Nebel** stated that the project only gets the system down Central.

**Mayor Sears** said that it is the beginning and that there are many components, for example the Lakes Hills development has the potential to add a pipe down Palm.

**Councilor Conroy** asked if SWMA could help with the extension discussions with the state

**Mark Brandenburg** said No.

**Councilor Conroy** said that he knows of residents that are pumping septic tanks and putting in new drainage fields. We are a good source of waste material to the lake the goes undiscovered.

**Councilor Scott** asked about an alternate plan.

**Mayor Sears** budgeted \$100k this year, leaving \$300k which could be low interest loan, paid back by an impact fee on the wastewater because we would be increasing our service.

**Councilor Scott** said it is a major expense for the entire Town and we don't have a plan or know what we are going to charge.

**Mayor Sears** stated that we have to careful about going into debt and many funding sources. The \$400k from the state has to be used for the project that was approved, can't just build a lift station. There are still a lot of moving parts. In June we're going to know where SWMA, the Town and Lake Hills are going to go.

**Councilor Scott** stated that he doesn't want the sewer project to impact other Town projects.

**Mayor Sears** said this project doesn't have anything to do with the general fund or Town budget.

What wasn't said by SWMA was that that we will need to get as many citizens as possible to sign-up for wastewater service when it's available.

**Councilor Conroy** said that we need to keep studying because Little Lake Harris is extremely valuable.

#### **Discussion: Update on Venezia Trail.**

**Mayor Sears** stated that the option on the south side of the school would require easements from Venezia, the school and the property owner and paving could cost \$30k-\$40k. I'm working with the school board to go down the north side of the school.

**Councilor Conroy** asked if the school could give us an easement and move the fence in 6ft.

**Mayor Sears** said he's in discussions with the school board

#### **Discussion: Status of Library Landscape.**

**Mayor Sears** said that this was a hot topic between those wanting Florida Native plants and those wanting a more formal design. He asked for an RFI for a landscape architect. We got a \$30k response from an architect we'd used before that amount is not in the budget.

**Councilor MacFarlane** said that the original request for the plan came from the Town Council to Parks & Rec. The board tried to come up with a plan that would represent the Library, the center piece of our Town. We worked with some people and experimented with Florida Native plants, some worked and some didn't. We requested estimates from landscapers and the bids went from exorbitant to minimal. One of the issues we have is the soil and irrigation. Suggest that we revisit the \$6,700 bid.

**Mayor Sears** asked how we keep from returning to a state of contention and said that we have to stay within budget

**Councilor MacFarlane** asked Library Director Hall to confirm that the issue was with the plants but the design was agreeable.

**Library Director Hall** said yes and said that the plants all look horrendous because of the soil

**Councilor MacFarlane** said that she would work with the Library to get a plant list and implement the plan

**Mayor Pro Tem Nebel** asked that a core soil sample be done

**Library Director Hall** stated that a core sample was done on the side where the new building is planned

#### **Discussion: Status of Library Expansion.**

**Library Director Hall** said that the state grant request has been submitted but there would be no response until the decisions are made in April or May 2019. Will also apply again for the country impact fee grant that would match the state grant. There are also 2 to 3 fundraising programs that the Friends are working on for the building fund.

**Councilor Scott** stated that he didn't want the sewer project to impact the library building project.

**Mayor Sears** said that we cannot spend Town funds on the utility, two different pots of money.

#### **MAYOR AND COUNCIL COMMENTS**

**Councilor MacFarlane** said that the 1<sup>st</sup> meeting of the 2018 Howey Christmas Festival meeting is Sept. 11, 2018 7 p.m. in the Library and encouraged everyone to attend/volunteer

**Councilor Conroy** no comment

**Mayor Pro Tem Nebel** no comment

**Councilor Scott** asked about Hurricane preparedness

**Public Services Director Ernest** said that everything is read

**Police Chief Thomas** said that everything is ready for hurricane season. He added that the Town is starting to have people cross Hwy 19 with golf carts. A golf cart crossing will require working with FDOT

**Mayor Sears** said its fine to work with staff and FDOT to ask for an access point.

**Chief Thomas** said that he would work with FDOT

**Councilor Conroy** stated that with Talichet the problem is going to get worse and it would be nice to do some long-range thinking.

#### **PUBLIC COMMENTS**

**Matt McGill 119 E. Croton** Florida statutes are vague, maybe if we do the Venezia Trail it could be done to handle the golf carts as well. Can we document the options/costs for the Venezia Trail?

**Mayor Sears** stated that finding out what the school will approve which could take as long as 6 months. The cost for pavement for the south Venezia was \$38k.

**Public Service Director Ernest** said the tree removal was less than \$10.

**Mayor Sears** estimate doesn't include legal fees, etc. The north school project would require paving, fencing and maybe gates.

**Don Elis 135 W. Magnolia Ave.** spoke with Chief Thomas and several adjacent towns about the golf cart crossing and there are many people that want the crossing. There are about 40 golf cart permits now and it's going to grow.

**Elwis Benson 406 S. Florida** said that the public comments were skipped on items 3 and 5, why is Bishop's Gate coming to the Town and not Mission Inn for wastewater.

**Mayor Sears** stated that Howey is the only service provider available.

**Elwis Benson** said that Bishop's Gate isn't in the city limit, not paying taxes so why should we give them a discount?

**Councilor Conroy** confirmed that Howey gets \$22 of the \$46 of the wastewater bill.

**Elwis Benson** stated that W. Central is getting to be shabby looking.

**Director Ernest** said that the dirt pile would be there until the road construction was completed, that the equipment belongs to the county and the dinosaur is mine.

**Elwis Benson** said he heard through Nextdoor that we had car break-ins in Venezia. It would be easy for the Police Chief to communicate to the residents via email.

**Chief Thomas** stated he wasn't aware of any car burglary, that all communications are subject to public record laws and believe that the Nextdoor page had been created.

**Francis O'Keefe Wagler 409 W. Central Avenue** said she lives across from Public Services and observed that everything is always neat and tidy and they are terrific neighbors. I'm here to speak about the Library landscape and suggest that the project be put on the list of activities for the Boy Scouts. It could be an Eagle Scout project. The third Friday is the Library's Meet the Artist event and crossing Hwy 19 at dusk can be hazardous.

**Mayor Sears** stated that the Town tried to address this with FDOT. Councilor Conroy has asked FDOT for additional warning for pedestrians crossing.

**Councilor Scott** requested a Traffic Study in Feb. and still doesn't have the results, just spoke with new FDOT contact.

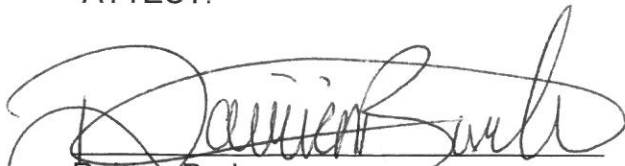
**Mayor Sears** said that the Town has requested a light but FDOT is not interested.

**Joanna Lowe 139 E. Central Ave** said that traffic is dangerous, especially when a car stops to turn from Hwy 19 to Central. The Library landscaping looks terrible, would it be possible to clean it up

**Ed Smith 301 N. Palm** stated that his company would trim the Library landscaping gratis.

The meeting adjourned at 7:47 p.m.

ATTEST:

  
Dairian Burke  
Town Clerk

  
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David Nebel, Mayor