

**MINUTES OF THE HOWEY-IN-THE-HILLS TOWN COUNCIL MEETING
HELD APRIL 13, 2009**

Mayor Sears called the Town Council Meeting of April 13, 2009 to order at 6:00 p.m.

Cub Scout Troop No. 254 led the Pledge of Allegiance to the Flag.

Councilor Ernest led the Invocation.

Present: Mayor Sears, Mayor Pro-Tem Johnson, Councilor Nebel, Council Ernest, Councilor Green and Town Clerk Brasher. Also present: Police Chief Robbins and Public Works Director Padgett.

Absent: Mayor Pro-Tem Johnson

PRESENTATIONS

Fiscal Year 2007-2008 Audit Report by Davis Monk & Company

Alan Nast, representative from Davis Monk & Company presented the Fiscal Year 2007-2008 Audit Report. **Councilor Nebel** thanked Councilor Green and Administrator of Financial Services Monday for their accounting information.

CONSENT AGENDA

Minutes of Regular Town Council Meeting of February 23, 2009, Regular Town Council Meeting of March 9, 2009, Regular Town Council Meeting of March 23, 2009 and Department Director Meeting of February 17, 2009

Councilor Ernest, seconded by Councilor Green, moved to approve the Consent Agenda as presented. Motion carried 4-0.

NEW BUSINESS

Consideration and Approval of Venezia South Landscape and Hardscape Plans
Town Planner Shira was present to answer questions.

Councilor Nebel asked if the sign would be augmented and **Town Planner Shira** said it would not. **Councilor Nebel** asked if the irrigation would meet the standards. **Town Planner Shira** said she had asked for comments from Building Official Frank von Frankenstein and Public Works Director Padgett.

Mayor Sears voiced his concerns with the scaled back version of the landscaping and the lack of lighting at the entrance. Discussion ensued.

Councilor Ernest, seconded by Councilor Green, moved to approve the Venezia South Landscape and Hardscape Plans. Motion carried 4-0 with a roll call vote.

Consideration and Approval of The Reserve, Phase 1, Concurrency Certificate

Town Planner Shira was present to answer questions. She stated there are concerns with water capacity and recommends that no water capacity be reserved with this certificate at this time.

Councilor Green, seconded by Councilor Nebel, moved to adopt The Reserve, Phase 1, Concurrency Certificate as presented by B&H Consultants, Inc. Motion carried 4-0 with a roll call vote.

Consideration and Adoption of Five-Year Capital Improvements Program

Town Planner Shira was present to answer questions.

Mayor Sears said he does not see the financials available for the backhoe and two trucks under Public Works.

Administrator of Financial Services said she did not see the billing software in the CIP. **Mayor Sears** said to move items 8, 9 & 10 to the FY 2009-2010.

Town Planner Shira said if the items are shown in the CIP it means the money is available to purchase the items listed.

Councilor Nebel, seconded by Councilor Green, moved to approve the Capital Improvements Program, with removing item numbers 8, 9 & 10 and to add the billing software to FY 2009/2010. Motion carried 4-0 with a roll call vote.

Discussion: Replacement of Two (2) Mini Piers

Parks & Recreation Board Chairman Ormsbee explained the prices and products used for replacement of the two mini piers. He gave price quotes with and without treks \$11,520 for wood and \$15,360 if treks is used. Discussion ensued.

Councilor Green, seconded by Councilor Ernest, moved to approve the replacement and extension of the mini piers in the amount of \$15,360. Motion carried 4-0 with a roll call vote.

Residents voiced their concerns with the cost of wood versus trex.

Discussion: Status of Boat Pier

Parks & Recreation Board Chairman Ormsbee was present to answer questions.

Councilor Nebel asked if the issue with the mitigation clause has been resolved. **Parks & Recreation Board Chairman Ormsbee** said he is working on the issue but it has not been resolved to date. Discussion ensued.

Discussion: Replace Christmas tree at Griffin Park with \$100 from Tree Preservation Fund

Parks & Recreation Board Chairman Ormsbee said the Christmas tree died and the

Parks & Recreation Advisory Board would like to replace the tree from the Tree Preservation Fund.

Councilor Nebel said she would like to put her Howey Garden and Civic Club monies towards the replacement with Oak trees.

Councilor Green, seconded by **Councilor Ernest**, moved to approve the replacement of the Christmas tree with \$100 from the Tree Preservation Fund. Motion carried 4-0 with a roll call vote.

Appointment of Charles Richardson to the Parks & Recreation Advisory Board
Parks & Recreation Board Chairman Ormsbee was present to answer questions.

Councilor Green seconded by **Councilor Nebel** moved to appoint Charles Richardson to the Parks & Recreation Advisory Board. Motion carried 4-0

Consideration and Approval of Lake County Policy, LCC-12, Lake County Library System Patron Requests for Reconsideration of Library Materials
Library Director Merchant was present to answer questions. She stated the Library Board met and recommended approval of the policy.

Councilor Nebel asked for clarification of the presented policy. **Library Director Merchant** explained the policy and asked for approval of the policy changes.

Councilor Green, seconded by **Councilor Ernest**, moved to approve the Lake County Policy, LCC-12, Lake County Library System Patron Requests for Reconsideration of Library Materials . Motion carried 4-0 with a roll call vote.

Discussion: Interlocal Agreement Relating to Provision of Library Services
Mayor Sears discussed this item.

Consideration and Approval to Pay Shortage to Police Officers' Retirement Trust Fund in the Amount of \$14,753
Officer George Brown was present to answer questions.

Councilor Green, seconded by **Councilor Ernest**, moved to approve the not to exceed amount of \$14,753 to the Police Officers' Retirement Trust Fund. Motion carried 4-0 with a roll call vote.

Resolution No. 2009-003, Adopting New Provisions to Provide for Implementation of the Most Recent Water Conservation Rules for Landscape Irrigation of the St. Johns River Water Management District

Mayor Sears read Resolution No. 2009-003 by title only.

Councilor Ernest, seconded by **Councilor Green**, moved to approve Resolution No. 2009-003. Motion carried 4-0 with a roll call vote.

Consideration for Issuance of Extension Letter for Veolia (Sanitation Services) Ending September 30, 2009

Councilor Ernest, seconded by Councilor Nebel, moved to approve the extension letter from Veolia ending September 30, 2009. Motion carried 4-0 with a roll call vote.

Discussion: Permits and Processes

Councilor Ernest gave detailed background on this item.

Councilor Green, seconded by Councilor Nebel, moved to approve the permit and processes item. Motion carried 4-0 with a roll call vote.

Cancel or Reschedule May 25th Town Council Meeting and Work Session Due to Memorial Day Holiday

It was the consensus of the Town Council to leave it to the discretion of the Mayor to cancel the May 25th Town Council Meeting.

Discussion: Replace Fire Hydrant Assembly, Replace 6' Gate Valve & Tee and Add 6" Gate Valve

Public Works Director Padgett was present to answer questions. He further stated the hydrant is leaking and it needs to be moved

Mayor Sears asked if it is the consensus of the Town Council to repair this item this budget year or wait until the next budget year.

Councilor Green, seconded by Councilor Ernest, moved to award the waterline installation to Ciraco Underground, Inc. subject to the Town purchasing requirements. Motion carried 4-0 with a roll call vote.

Approval of Mayor Pro-Tem Johnson to be Added as a Check Signer on Town Checking Account

Councilor Green, seconded by Councilor Nebel, moved to add Mayor Pro-Tem Fred Johnson as a check signer on the Town checking account. Motion carried 4-0 with a roll call vote.

Discussion: Lake County Water Alliance Priorities/Governance Visioning Survey
Councilor Nebel gave background on this item. **Mayor Sears** asked Councilor Green if he would review and complete this survey and **Councilor Green** said he would.

Discussion: Paid Advertisements for Howey Tribune

Councilor Ernest presented a handout for this item and thanked Staff for the newsletter. **Mayor Sears** said his goal is to process the newsletter every two months and the newsletter will be available on the website on the next issue.

Councilor Green asked if there is limit of the number of advertisements accepted due

to the postage costs.

It was the consensus of the Town Council to limit the ads to a front and back page and bring this back to the April 27 meeting as a Resolution.

Consideration and Approval of Police Department In Car Video Grant
Police Chief Robbins was present to answer questions.

Councilor Green, seconded by Councilor Nebel, moved to approve the Police Department in car video grant. Motion carried 4-0 with a roll call vote.

Police Chief Robbins explained the Police Retirement Pension Board membership.

PUBLIC HEARINGS

Amended Preliminary Subdivision Plan for Whispering Hills

Town Planner Shira said this item was previously tabled. She asked for direction with regards to Comment No. 1 and asked that the Town Council clarify the Remaining Issues 1-6.

Mayor Sears gave background on the leased land adjacent to the Whispering Hills project.

Clay Frankel, representative for developer of Whispering Hills discussed the remaining issues.

Del Pearce asked for clarification with regards to the bump out around the trees and voiced his concerns with regards to the Town Council listening to the Town consultants.

Councilor Green said outstanding items for him are the parkland and the improvements on Buckhill Road. Discussion ensued. Councilor Ernest said he does not want to reject this item but he would like some concessions on the parkland.

The Public Hearing was opened. As no one wished to speak, the Public Hearing was closed.

Councilor Ernest, seconded by Councilor Green, moved to approve the Amended Preliminary Plans for Whispering Hills subject to the satisfaction of the Item No. 6 of the January 29, 2009 Staff Report submitted by B&H Consultants Inc., which is to be in place prior to Final Construction Plans. Motion died as a 2-2 vote with Councilor Nebel and Mayor Sears voting no.

Councilor Green, seconded by Councilor Ernest, moved to continue this item to the April 27, 2009 Town Council agenda. Motion carried 4-0 with a roll call vote.

Second Reading and Adoption of Ordinance No. 2009-007, Vacating the Platted Street Known as Fifth Avenue To Now Be Owned, Repaired and Maintained by the Homeowners living on Fifth Avenue; Providing for An Effective Date

Mayor Sears read Ordinance No. 2009-007 by title only.

The Public Hearing was opened. As no one wished, The Public Hearing was closed.

Councilor Nebel, seconded by Councilor Nebel, moved to adopt Ordinance No. 2009-007. Motion carried 4-0 with a roll call vote.

First Reading of Ordinance No. 2009-008, Relating to Dumpsters

Mayor Sears read Ordinance No. 2009-008 by title only.

The Pubic Hearing was opened. As no one wished to speak, the Public Hearing was closed.

Councilor Ernest, seconded by Councilor Nebel, moved to adopt the first reading of Ordinance No. 2009-008. Motion carried 4-0 with a roll call vote.

MAYOR / TOWN COUNCIL REPORT

Mayor Sears: None

Councilor Ernest: None

Councilor Nebel: None

Councilor Green said he would like to see agenda items with expenditures and a recommended motion.

PUBLIC COMMENTS


Charles Pasch voiced his concerns regarding the Lakeshore/Revels Road widening project.

Steve Kondo asked questions and voiced his concerns regarding the Lakeshore/Revels Road widening project.

Janie McClain thanked the Town Council and Parks & Recreation Chairman Ormsbee for the beautification to the lake front. She further voiced her concerns with the Lakeshore/Revels Road widening project.


Mayor Sears announced the S. Lakeshore Blvd. & Revels Road widening project Public Meeting would be held on April 28 at 6:00 at the Lake Hills School.

ADJOURNMENT AT 9:01 P.M.



Chris Sears, Mayor

ATTEST:



Brenda Brasher, CMC
Town Clerk