

**MINUTES OF THE HOWEY-IN-THE-HILLS TOWN COUNCIL MEETING  
HELD MAY 11, 2009**

**Mayor Sears** called the Town Council Meeting of May 11, 2009 to Order at 6:00 p.m.

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

**Councilor Nebel** led the Invocation.

**Present: Mayor Sears, Councilor Ernest, Councilor Green, Councilor Nebel, Town Attorney Blom-Ramos and Town Clerk Brasher**

**Absent: Mayor Pro-Tem Johnson**

**PRESENTATIONS**

**Mayor Sears** presented the annual sponsorship check to Cub Scout Troop No. 254

**CONSENT AGENDA**

**Minutes of the March 10, 2009 Work Session, March 23, 2009 Work Session and March 26, 2009 Work Session**

**Councilor Ernest, seconded by Councilor Nebel, moved to approve the consent agenda as presented. Motion carried 4-0 with a roll call vote.**

**Mayor Sears** announced that Mayor Pro-Tem Johnson has resigned his position as Town Councilor. **Town Attorney Blom-Ramos** gave detailed background on the procedures according to the Code of Ordinances. **Councilor Green** said the date should be set with the Supervisor of Elections.

**Mayor Sears** said the Town Council needs to discuss the procedures and to elect a Mayor Pro-Tem, fill the vacancy and set the date of the special election at the June 8<sup>th</sup> Town Council Meeting. **Councilor Green** suggested using a form for the inquiries.

*It was the consensus of the Town Council to accept applications for the vacant seat for those interested no later than 10:00 a.m. Tuesday, June 2, 2009.*

**Councilor Ernest, seconded by Councilor Green, moved to have a list of inquiries for those who are interested in holding the seat and the decision will be made at the June 8<sup>th</sup> Town Council Meeting. Motion carried 3-1 with Councilor Nebel voting no.**

**NEW BUSINESS**

**Resolution No. 2009-005, Expressing Support for a Referendum Regarding a Horseracing Pari-Mutuel Wagering Facility and Cardroom within the City Limits of Minneola**

**Town Attorney Blom-Ramos** read Resolution No.2009-005 by title only.

**Minneola Mayor Yeager** was present to answer questions. **Councilor Green** asked if the pari-mutuel fails, how long until it could be brought back. **Mayor Yeager** said if it fails, it fails forever and explained the process.

**Councilor Nebel** said she has no problem with approval of this item. **Councilor Green** said Sumter County tried to pass this and he likes this idea better and let the voters decide. **Councilor Ernest** said he has never seen gambling improve the quality of life. **Mayor Sears** said he does not agree with this but he applauds the City of Minneola for thinking outside the box for ways to generate revenues.

**Councilor Nebel** moved to approve Resolution No. 2009-005. Motion died due to lack of a second.

**Appointment of Steve Kondo to the MPO Bicycle Pedestrian Advisory Committee**  
Mr. Kondo was present to answer questions.

**Councilor Green**, seconded by **Councilor Nebel**, moved to appoint Steve Kondo to the MPO Bicycle Pedestrian Advisory Committee. Motion carried 4-0 with a roll call vote.

**Discussion: RFQ 2009-001 Qualifications for Potable Water System Expansion and Improvements**

**Public Works Director Padgett** presented a Staff Report and ranking on the four companies that submitted proposals. **Mayor Sears** said the Council needs to make a decision to move forward. Discussion ensued.

**Councilor Green** said if there is no requirement for a presentation, he is in favor of no presentations from the companies that submitted proposals and **Councilor Ernest** agreed.

It was the consensus of the Town Council to make a decision at the June 8<sup>th</sup> Town Council Meeting without presentations from the companies that submitted proposals.

**Discussion: Proposed Joint Work Sessions for 2<sup>nd</sup> Meeting of Month for May, June, July and August**

**Mayor Sears** said he would like to hold joint work sessions during the summer months to use as an element in the EAR, LDR, and Comprehensive Plan Amendments.

**Town Planner Shira** presented a detailed hand-out and suggested using the P&Z meeting nights for May, June, July and August for the Town downtown overlay, then move forward to the balance of the LDR re-write. The Comprehensive Plan may need to be amended due to the zoning portion of the Future Land Use.

**Planning and Zoning Chairman Llewellyn** said the normal meeting would be held at 6:00 and then to follow with the work session. **Councilor Nebel** said she felt the Town Council should meet from 5:00 – 6:00 and the Planning & Zoning Board meet after 6:00.

**Planning & Zoning Board Member Del Pearce** said member of the Planning & Zoning Board members can not be present at 5:00. **Town Planner Shira** said she might have conflicts with the second meeting of the month. **Councilor Green** said he has previous obligations on the 4<sup>th</sup> Thursday of each month and does not feel one hour would be sufficient.

**Councilor Ernest**, seconded by **Councilor Nebel**, moved to meet from 7:00 p.m. – 8:15 p.m. for a Joint Work Session with the Planning & Zoning Board on the 4<sup>th</sup> Thursday of each month for June, July, August and September.

**Councilor Ernest rescinded the motion**

**Councilor Green**, seconded by **Councilor Nebel**, moved to give Mayor Sears the latitude to schedule the Joint Work Sessions beginning in June. Motion carried 4-0 with a roll call vote.

## **PUBLIC HEARINGS**

**First Reading and Transmittal of Ordinance No. 2009-010, Updating and Amending the Capital Improvement Element of the Comprehensive Plan As Required by Florida Statute 163.3177; Providing For Conflicts, Severability, Transmittal and an Effective Date**

**Town Attorney Blom-Ramos** read by title only, Ordinance No. 2009-010.

**Town Planner Shira** and **Senior Planner Spradley** were present to answer questions.

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

**Councilor Green**, seconded by **Councilor Ernest**, moved to approve the first reading and transmittal of Ordinance No. 2009-010 to the Department of Community Affairs. Motion carried 4-0 with a roll call vote.

**Second Reading and Adoption of Ordinance No. 2009-008, Amending Chapter 100 of the Code of Ordinances by Adding a New Section 100-9.1; Requiring Dumpsters on Sites with Construction and Remodeling Activities; Requiring Dumpsters on Commercial Sites; Providing for Codification and Inclusion in the Code of Ordinances; Providing for Severability; Providing for An Effective Date**

**Town Attorney Blom-Ramos** read Ordinance No. 2009-008 by title only.

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

Councilor Nebel, seconded by Councilor Green, moved to adopt Ordinance No. 2009-008 as presented. Motion carried 4-0 with a roll call vote.

**OLD BUSINESS- NONE**

**MAYOR / TOWN COUNCIL REPORTS**

**Mayor Sears- None**

**Councilor Ernest-None**

**Councilor Green** said he would like to amend the Code of Ordinances with regard to elections for an automatic position on a board to fill the position until an election is held. **Councilor Nebel** said she agrees with Councilor Green. Discussion ensued.

It was the consensus of the Town Council for Town Attorney Blom-Ramos to bring back some election options.

**Councilor Nebel** said Senate Bill 20-80 has given total control to SJRWMD, which was passed unanimously and is waiting to be signed by Governor Crist.

**PUBLIC COMMENTS**

**Pam Hunt** voiced her opinion on the S. Lakeshore Blvd. /Revels Road Widening Project. She suggested conflicting parties meet to discuss the issues.

**Charles Pasch** voiced his opinion on the S. Lakeshore Blvd. /Revels Road Widening Project.

**Sandy Pasch** voiced her opinion on the S. Lakeshore Blvd. /Revels Road Widening Project.

**ADJOURNMENT AT 7:23 P.M.**



Chris Sears, Mayor

ATTEST:



Brenda Brasher, CMC  
Town Clerk