

## Minutes of the Howey-in-the-Hills Town Council Meeting Held November 9, 2009

**Mayor Sears** called the Town Council Meeting of November 9, 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, Mayor Pro-Tem Green, Councilor Nebel, Councilor Ernest Councilor Crowder, Town Attorney Blom-Ramos and Town Clerk Brasher.

**Absent:** None

### **NEW BUSINESS**

#### **Swearing in of Newly Elected Town Councilor Barry Crowder**

**Mayor Sears** swore Barry Crowder into Town Council Seat No. 3.

**Mayor Sears** and the **Town Councilors** congratulated Councilor Crowder.

**Discussion: Proposed Annexation of Silver Springs Citrus Plant into Town**  
**Councilor Ernest** gave background on this item and tax incentives were discussed.

**Mayor Sears** said he would present the Town Council with a fee estimate for the annexation.

#### **Consideration and Approval of Agreement Between Lake County, Florida and the Town of Howey-in-the-Hills for Collection of Storm Debris from Streets and Right-of-Way**

**Mayor Sears** and **Town Attorney Blom-Ramos** explained the agreement. Discussion ensued.

**Councilor Crowder, seconded by Mayor Pro-Tem Green, moved to approve the Interlocal Agreement for Collection of Storm Debris from Streets and Right-of-Way with Lake County and giving Mayor Sears authorization to implement the need to utilize the agreement. Motion carried 4-1 with Councilor Nebel voting no.**

#### **Discussion: Venezia Proposed PUD Modifications**

**Flagship representative Ron Roberts** gave detailed background on the proposed PUD modifications. **Town Attorney Blom-Ramos** said the developer is requesting an amended Developer Agreement with new entitlements and gave background information. **Councilor Nebel** said she was uncomfortable meeting with a developer outside of a Town Council Meeting but she has questions to ask Mr. Roberts. **Mayor Sears** said Mr. Roberts has a presentation which will follow with questions and answers.

**Mr. Roberts discussed the following:**

1. Appoint a liaison to work with him to reflect the proposed changes
2. Assisted living facility in the former townhome sites
3. Impact fees and impact fee credits

**Councilor Nebel** asked for clarification of the documentation submitted by Flagship Land Group: water impact fees, payment to the developer for upsizing the water line on Florida Avenue, lot sizes and assisted living facility.

**Councilor Ernest** said the Town needs to work with the developers as long as the developers meet the Town's regulations. **Mayor Sears** said The Reserves have been approved for 50' lots and said there are no negotiations for impact fees for Parks & Recreation and Police. He further said the land adjacent to the water plant is not needed but it would be nice to have the land for future expansion. He said the Venezia development previously had a nice front entrance and now that has been taken off the table. The \$200,000 Venezia is proposing to pay for water impact fees would help offset the initial expense of the water plant expansion, which is a dream of the Town and would be less debt service to the Town residents. There is still a well debt, which is payable each year also. The Town is moving forward with the water plant expansion and the \$200,000 water impact fee payment would be an off-set of the debt being incurred, which would be 10% of the water plant expansion cost.

**Councilor Crowder** said those are all valid points. **Mayor Sears** said the project would need to be bonded. **Councilor Crowder** said the assisted living facility would create jobs in the Town. **Mr. Roberts** said if the Town would appoint a liaison to work with him, he will start working on the project next week.

**Town Planner Shira** said Lake County has created health related job credits which would help with an assisted living facility. **Mayor Pro-Tem Green** voiced his reservations on the proposed project. **Mr. Roberts** said he and the Town are at fault with poor communication and he would like to start with a clean slate. **Mayor Pro-Tem Green** said he does not have a problem with 50' gated community but he does not agree with that lot size for single family homes. He said the residents of the Town would agree to pay an additional \$5.00 on their monthly water bill.

**Speaker, name unknown**, asked for clarification with regards to the lot sizes in The Reserves. **Town Planner Shira** said there is a mix of lot sizes in The Reserves.

**Speaker, no name announced**, voiced her concerns that options should be kept open for single family and assisted living facilities. **Town Attorney Blom-Ramos** said there are restrictions on single family and assisted living facilities. **Mr. Roberts** said there is a need for assisted living facilities and it will sell quicker than townhomes.

**Bob Olsen** said the Town and developer needs to be realistic about assisted living facilities as they are going out of business.

**Jean Garrett** gave background on assisted living facilities.

**Charlie Richardson** said he has seen tons of 50' lot communities where people enjoy living and having control of the development is the key point.

**Town Planner Shira** gave background on the development process with regards to a Planned Unit Development (PUD). **Town Attorney Blom-Ramos** said the land in question would be included in the Developers Agreement. **Town Planner Shira** said the parcel of land adjacent to the water plant cannot not be included in the developer agreement as it is not owned by the developer and is not part of the PUD. **Mr. Roberts** said he has been given the authority to make a decision for the benefit of the project by Fred Bennett, Lykes Bros. and Fred Bennett a partner in this development. Discussion ensued.

**Mayor Pro-Tem Green**, seconded by **Councilor Crowder**, moved to table this item until the Town Council has written documentation within 30 days as to ownership of the parcel in question and who has the authority to deed the parcels of land in question to the Town. Motion failed 4-1 with Mayor Sears, Councilor Nebel, Councilor Ernest and Councilor Crowder voting no with a roll call vote.

**Councilor Crowder**, seconded by **Mayor Pro-Tem Green**, moved to authorize Town Staff to work in good faith with Flagship Land Group on the Venezia North and South Amended Developer's Agreement and to appoint a Town Councilor to work with Flagship Land Group through the process, pending receipt of a letter of intent to dedicate the water site to the Town by close of business day, Thursday, November 12, 2009, which includes a deadline to deed the property to the Town by December 1, 2009. Motion carried 4-0 with a roll call vote.

**Councilor Nebel**, seconded by **Councilor Ernest**, moved to appoint Councilor Crowder as the liaison to work with Flagship Land Group. Motion carried 4-0 with a roll call vote.

#### **PUBLIC HEARING-**

**First Reading and Transmittal of Ordinance No. 2009-015, Pertaining to Comprehensive Planning, Adopting the Evaluation and Appraisal Report (EAR) for the Town's Comprehensive Plan, Stating the Intent of the Town Council to Amend the Comprehensive Plan based Upon Recommendations Set Forth in the Report; Approving Transmittal of the Report to the Department of Community Affairs (DCA); Providing for Severability; Providing for an Effective Date.**

**Town Planner Shira** gave detailed background on this item.

**Ordinance No. 2009-015 was read by title only.**

**The Public Hearing was opened.**

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

Councilor Nebel, seconded by Mayor Pro-Tem Green, moved to adopt Ordinance No. 2009-015. Motion carried 5-0 with a roll call vote.

**Resolution No. 2009-013, Budget Amendment for FY 2008-2009.**

**Resolution No. 2009-013 was read by title.**

**The Public Hearing was opened.**

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

Mayor Pro-Tem Green, seconded by Councilor Ernest, moved to adopt Resolution No. 200-013, Budget Amendment for FY 2008-2009. Motion carried 5-0 with a roll call vote.

**MAYOR/COUNCIL COMMENTS**

**Mayor Pro-Tem Green** thanked Town employees for the great job they have been doing. He also thanked Town Hall Staff for getting the Budget amended in a timely fashion.

**Councilor Crowder** thanked everyone for welcoming him and he is glad to see the citizens involved in their Town.

**Councilor Ernest** -None

**Councilor Nebel** - None

**Mayor Sears** thanked the Christmas Festival Committee for their hard work. He said there will be no 2<sup>nd</sup> meeting in December and the 2<sup>nd</sup> meeting of November will be held to discuss water plant expansion items.

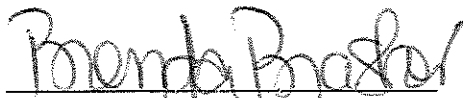
**PUBLIC COMMENTS** - None

**ADJOURNMENT AT 8:58 p.m.**



**Chris Sears, Mayor**

**ATTEST:**



**Brenda Brasher, CMC  
Town Clerk**